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Local Boundary Commission

Comments on Homer Annexation's Impact on KESA

submitted by:

Kachemak Area Coalition, dba

Citizens Concerned About Annexation

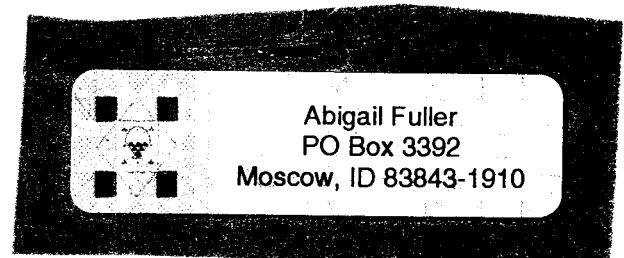
Pete Roberts, President

Dan-

If a signature is needed
for these comments
contact Pete. Any
other questions contact me
at: abbyplarn@tds.net.

Note - some exhibits are
printed on both sides

- Abby Fuller



INTRODUCTION

Homer's annexation petition listed its provision of fire and emergency services as one of the main arguments for annexation. (R. at 4, 5.) What the city didn't make clear was that it was only trying to annex a small portion of the area that it was providing services to. The full area covered by the Homer Volunteer Fire Department (HVFD) is approximately the same as that shown in the map found as exhibit 67 with Homer's Reply Brief, except for the area south of the Fox River. (R. at 1862-63.) Kachemak Emergency Service Area (KESA), unlike the originally proposed annexation, includes the full area that Homer historically served. (R. at 992.) Homer's petition made the claim that fire protection is provided by HVFD and "there is no other entity to provide these services to the area." (R. at 40.) This was true, not just for the area annexed but for the greater area from Anchor Point to the head of Kachemak Bay. Now KESA is that entity.

Homer made the following claim for the area it wanted to annex, but again the claim also applied to the entire area served: "If annexation is not approved the territory will see an erosion in those services which are currently provided by the City of Homer. The City is simply no longer able to provide extra-territorial services absent a substantial infusion of sales tax and property tax revenues." (R. at 41.) KESA provided a substantial infusion of property tax revenue through their contract with Homer, as payment for services to the entire area served not just a small portion.¹ KESA was created not just to prevent an erosion of services, but to enhance and improve services to the entire area. (Ex. A.²)

HISTORY OF EMERGENCY SERVICES

In 1954 a nonprofit corporation was established to provide fire services "in the vicinity

¹ KESA does not include Kachemak City, which has its own agreement with Homer Kachemak City pays Homer 1 mill of property tax and provides a fire truck stationed in Kachemak City in exchange for services provided by HVFD. (R. 158.)

² This exhibit and KESA minutes were provided to CCAA via email, then printed out.

area and locality of Homer.” (Ex. B.) In 1991 HVFD, Inc. ceased operation and the City of Homer took over responsibility for providing the services HVFD, Inc.³ had been providing. (Ex. C, D.) As part of this transfer of responsibility, the city signed a lease for use of the corporation’s equipment in which the city agreed to provide services to the area traditionally served by the corporation. (Ex. C.) This area was defined as running from the Anchor Point Service area to the head of Kachemak Bay. CCAA does not know how long the city continued to use the leased equipment, but nevertheless the city did continue to provide fire and EMS services to the area traditionally served until KESA took over the responsibility.

According to the city’s attorney, the city had no express statutory duty to provide these services outside the city, and probably no common law duty, but it did have some contractual duty. (R. at 1773-76.) The contractual duty noted was from mutual aid agreements, but the city also had a contractual duty through the lease agreement, for as long as it used the leased equipment. Once that contractual duty was gone, the city could with impunity cease to provide services outside the city except those that fell within the mutual aid agreements with Anchor Point and with the state for wildfires, as long as the decision was made at the planning level (ie city council). The result was that just as the need for emergency services was increasing with development beyond the city, there was a void of responsibility for providing the necessary emergency services. The city was continuing to provide these services without any agreement and footing the bill.⁴ At the same time, Homer did not have the ability to do many of the things that would improve services, such as stationing equipment or building substations out East End Road, or creating water sources throughout the area.

The need to find a solution, the obvious one being a borough service area, did not go unnoticed. Both the borough and the city were well aware of the need for a fire and emergency

³ HVFD, Inc. became HVFD Members Association. (Ex. E.)

⁴ Although nonresidents do contribute a significant portion of city sales tax revenue.

medical service area. The borough had proposed one in 1994 (Ex. F, G), which was shelved because Homer would not agree to it unless they could have control over the service area. The city in 1998 did a study (R. at 993-1017) which concluded that a donut service area surrounding Homer was the best solution. Homer put the study on the shelf and did nothing. Neither proposal ever reached the voters.

HISTORY OF KESA

The annexation proposal provided a catalyst to get the voters themselves to initiate the necessary service area -- in fact, efforts were made to get the ball rolling before the city council even voted on the annexation petition. (Ex. H, I.) The proposed fire service area would cover the entire area served by HVFD, excluding Homer and Kachemak City. (R. at 992.) The fire service area proposal received widespread support which the annexation proposal did not. (R. at 214, see also R. at 159, 168, 175, 186, 190, 195, 208, 229, 231, 236, 267, 282, 289, 295, 300, 304, 316, 318, 325, 331, 336, 339, 349-50, 358, 359, 386, 389, 397, 416, 418, 420, 421, 425, 448, 451, 475, 476, 477, 479, 546, 548, 549, 578, 579, 583, 588, 628, 630, 636, 649, 660, 710, 719, 736-37, 739.) The result was KESA, approved by the voters Oct. 3, 2000 as the Greater Kachemak Volunteer Fire and Emergency Medical Service Area.⁵ (Ex. J, K.) This was the only good to come of the annexation proposal, but allowing the annexation to actually take place struck a blow to KESA just as it was getting off the ground. The issue before the LBC is just how serious a blow was it, and whether that blow means annexation was not in the state's best interest.

The KESA board started meeting in November of 2000 (Ex. M.) and, after difficult negotiations (R. at 137, Ex. N.), signed a contract with Homer for provision of an existing level of service. (Ex. O.) KESA has continued to contract with Homer while also working to improve

⁵ The name was later shortened to Kachemak Emergency Service Area. (Ex. L.)

services to the outlying areas. (Ex. P, Q, R, S, T, U, V, W.) This system is beneficial to both Homer and KESA, as it utilizes existing infrastructure, keeps the volunteers together, provides revenue to the city, and improves services to all areas, not just KESA or Homer

The area between Homer and Kachemak City, known as Millers Landing, was intended to be included in KESA from the beginning. (R. at 130-131, 3421-23) Due to a clerical error drafting the legal description, it was left out. This oversight was not discovered until 2001, at which point the Kenai Peninsula Borough (KPB) took immediate steps to rectify the oversight, through an ordinance to add Millers Landing effective January 1, 2001. (Ex. X.) The final vote of approval did not take place until a few days after 1/17/02, but it was approved, and so Millers Landing was added to KESA on January 1, 2001. The figures given for the impact of annexation on KESA include Millers Landing because, without annexation, Millers Landing would have remained part of KESA.

ANNEXATION HISTORY

Homer's proposal to annex 25 square miles was submitted to the LBC on March 20, 2000. (R. at 3352.) On Dec. 15, 2001 the LBC held a decisional meeting and approved annexation of 4.58 square miles to Homer. (R. at 3359.) The annexation became official in March, 2002, adding the 4.58 square miles to the city and concurrently removing the same territory from KESA.⁶ This was done without a vote of the service area as required under AS 29.35.450(c), which became law August 22, 2001. CCAA filed an appeal of the LBC decision on February 6, 2002. Superior Court Judge Mark Rindner, on deciding the appeal, remanded the matter to the LBC to consider annexation's impact on KESA. (3AN-02-04626CI, Decision 12/4/03.)

CCAA appealed in part because of the lack of a vote, and in part because the LBC had not done a thorough and unbiased job of evaluating the annexation proposal. The failure to

⁶ Some of these events took place after 1/17/02, but are already part of the record on appeal.

consider annexation's impact on KESA was only the most blatant failure. A related oversight was the failure to consider KESA's impact on the annexation proposal. Only the former is before the LBC at this time, but the latter should be kept in mind while reconsidering whether annexation, given the impact on KESA, is really in the state's interest.

CCAA is concerned about the apparent bias of the LBC in favor of the city, not just as against service areas but as against the respondents. (Tr. 104, 12/14-15/01.) The previous LBC saw fit to refuse recusal of a commissioner (Tesché) who had at least the appearance of bias in favor of the city, while this LBC has seen fit to approve recusal of a commissioner (Hicks) who has at least the appearance of bias in favor of a respondent (CCAA). CCAA suggests that either: 1) one of these decisions was wrong⁷, or 2) the LBC is institutionally biased in favor of cities and therefore respondents cannot get a fair hearing, violating respondents' rights to due process.⁸

DESCRIPTION OF KESA AND THE AREA'S NEEDS

The area covered by KESA has over 4000 people (pre-annexation) in an area close to 200 square miles, with road access that varies from paved highway to no roads at all. The need for emergency services is growing along with the population, in addition to the spruce bark beetle epidemic which has turned the forests in the area into a tinderbox. With more people comes more traffic and more traffic accidents, and more homes in the woods at risk from wildfire. Homer has done a good job within its limitations of providing services, but more is needed. What people most want and need is faster response times. (Ex. Y, and see R. at 182 and 288, (HVFD could not save house 6 miles from town); R. 282, (response time timed at 30 minutes); R. 439, (ambulance

⁷ CCAA argued on appeal that the LBC's decision not to recuse Commissioner Tesché was in error but Judge Rindner did not agree.

⁸ The DCED, which serves as staff to the LBC, is statutorily biased in favor the city. This casts doubt on the LBC's ability to be an objective third party. AS 44.33.020 (The Department of Community and Economic Development shall (1) advise and assist local governments; ... (4) serve as staff for the Local Boundary Commission). (See also R 3057.)

winter response was 2 hours).) The only way to provide a faster response for most of the area is to station equipment where needed and have volunteers nearby. KESA can do this, Homer cannot because the need is outside its boundaries⁹. But it takes money.

KESA is a borough service area as authorized by Art. X, Sec. 5 of the Alaska Constitution. It was created to provide fire and emergency services to the areas outside of Homer and Kachemak City that have historically been covered by HVFD.¹⁰ (Ex. J.) These services are provided through contract with Homer and through equipment owned by KESA and stationed throughout KESA. (Ex. O,P, Z, AA) KESA also contributes to training volunteers and funding equipment and supplies for volunteer use in both Homer and KESA, thus improving the level of service to both areas. (Ex. AB.) Most importantly, KESA focuses on improving response time to areas as much as twenty miles and more from Homer, including the Russian Orthodox communities beyond the end of the road. (Ex. A.)

KPB estimates that prior to annexation KESA had a population of 4143 people (with Millers Landing).¹¹ Annexation is expected to remove only 898 of them. (R. at 3278.) This population is spread out throughout KESA, mostly where the roads are with the notable exception of the Fox River flats. There are two communities in the flats, reachable down a trail called “the switchback”. Officially a hiking trail, the villagers manage to get up and down with 4X4s, but it is not passable for ambulances or fire trucks. The further village is accessible only by four-wheeler (or helicopter). (R. at 998, “except Kachemak Selo, which does not have road access and is only served in dire emergencies by helicopter”.) According to the 2000 census (www.census.gov) there are 616 people in the Fox River CDP (Ex. AE (map of CDP)) and 58%

⁹ The need will continue to be outside Homer’s boundaries after annexation, contrary to the LBC’s presumption in its decision.

¹⁰ By both the city dept. and the nonprofit.

¹¹ Population figures provided by Kenai Peninsula Borough.

of them are children, of which 223 are under the age of 9. As of KESA's founding there were no emergency responders available in the villages -- in a medical emergency families transport the patient up the switchback trail to meet the Homer ambulance, or all the way to the emergency room. The communities also had no fire equipment nor trained volunteers. It is hoped that KESA can provide fire equipment (such as brush trucks) and training, since the only way to get a fire truck on site is to have one already in the village. (Ex. S, T.) KESA's Comprehensive Plan covers this need. (Ex. A.)

KESA covers an area that is largely beetle-killed spruce forests. According to the KPB's Bark Beetle Task Force nearly all the spruce trees in the area were dead by 1998. Such dead forests create the potential for catastrophic fires.

The spread of the spruce bark beetle in Alaska, and in particular the Kenai Peninsula, has continued over the last decade at a level unprecedented to scientific observers. The infestation is considered the most intensive outbreak documented in North America with aerial surveys indicating that over 1.4 million acres of the Kenai Peninsula Borough have been impacted over the last 10 years. This outbreak has created an extreme wildfire hazard by killing tens of millions of mature spruce across the peninsula. The build up of dead trees and surface fuels has significantly increased the risk of an occurrence of a catastrophic wildfire throughout the infested areas and has greatly increased the risk of catastrophic loss of life and property across the region. ... Recent fire behavior studies in Canadian beetle-killed areas indicate that a wildfire in a beetle killed stand burns up to 20 times faster and 6 times hotter than wildfire in a live forest. ... Additional studies and fires on the Peninsula have shown that wildfires in a beetle killed stand exhibit tremendous fire spotting behavior. During the Crooked Creek Fire of 1996, fire fighters noted fire spotting up to four miles in front of the fire.

<http://www.borough.kenai.ak.us/sprucebeetle/> (click on "History")

Much of the KESA population resides along East End Rd, an area of extensive beetle kill. It is a classic example of what is called the urban wildland interface -- houses in the woods. These woods are dead, and while efforts have been made to remove dead trees, the area is still a tinderbox. A fast response is crucial for preventing a Big Lake type fire. The area was extremely

lucky in 1999, when the Hutler Rd fire¹² was successfully suppressed with minimal loss of property. (R. at 550.) It would be a potential catastrophe to rely on luck every time! What the area needs is brush trucks stationed throughout the area, for a quick response while waiting for the big trucks from Homer, the state wildfire crews, and the planes with fire retardant. KESA has brush trucks high on their list, and can station them where they are needed, which could be twenty miles from HVFD. Less tax revenue could mean fewer brush trucks. Or it could mean having to choose between a brush truck and an ambulance. Or having the brush truck but not enough money for volunteer training to put it to use. The planned fire station at McNeil Canyon (Ex. W.) will also provide faster response to fires, saving property and potentially saving lives.

KESA has plans to improve emergency services in the area surrounding Homer and Kachemak City, including stationing equipment for faster response, providing water supplies in the areas, and building fire stations and substations. (See Ex. A for long-range plans.) Availability of water for firefighting is a crucial need in the area. Almost all of KESA is uphill from Homer, which means a long turnaround time for a loaded tanker to shuttle back and forth to a fire. Water stored in key locations will do a lot to improve firefighting ability throughout KESA. Fire stations and substations will house equipment closer to the area of need. Volunteers who already live in the area can then respond to the nearest station rather than travel all the way into Homer to get the equipment then return to respond to the call. This alone could shave a half hour or more off response times to some areas. KESA also plans to enhance radio communications for emergency responders in the area, and encourage and train volunteers in the area. The impact of annexation's removal of some of KESA's tax base will be a delay of the implementation of these plans.

¹² Hutler Rd is about 11 miles from Homer off East End Rd, well within KESA.

IMPACT OF ANNEXATION ON KESA

Annexation will not reduce the needs within KESA. The area is still covered with dry dead trees, still the same distance from Homer's fire station. The city's proposed Skyline Dr substation (R. at 28) will not improve services to most of KESA, if it even gets built. What annexation removes from KESA is a significant chunk of its tax base, while relieving it of very little in the way of responsibilities. It removes some of KESA's ability to provide needed services that can save lives or homes. There is no way to determine whether annexation will, in fact, result in loss of life or property, because we can only guess at the dollars not predict future incidents, but it could. The area needs faster response to emergencies, which KESA plans to provide. Less money available means it will take longer to provide the needed improvements. For example, KPB has an Equipment Replacement Fund that loans money to service areas to purchase equipment. (Ex. AC.) Less tax revenue means less borrowing ability. It also means less money available for matching funds for grants, which can mean fewer grants to purchase equipment.

As of January 1, 2002, the tax assessed value of KESA was \$304,009,540, according to the Kenai Peninsula Borough.¹³ Annexation removed \$76,395,600 of tax assessed value. This is a quarter of KESA's tax base gone, yet the needs remain essentially the same. The area removed is less than 2% of the total area of KESA.¹⁴ There may be a few less calls, but in terms of being prepared, there is no reduction in the need for substations, equipment or trained volunteers. Most of a fire department's (or service area's) budget is for extensive training of volunteers and capital equipment expenses. (R. at 994.) This is especially true for a new entity, like KESA, which is starting from scratch. The contract with Homer takes care of the calls, while KESA is trying to expand services with volunteer training, equipment, stations, and water supplies. These

¹³ The tax assessed values were provided by KPB assessing dept.

¹⁴ Figures provided by KPB were 2767 annexed acres out of 139476.5 KESA acres.

expensive needs do not change with annexation.

KESA is funded by a 1.75 mill tax levy (R. at 3386), which means a direct \$114,593 loss to KESA's budget from annexation. That loss may be partially offset by a potential reduction in the contract price, but only partially. Homer based the contract price on relative percentage of improvement value, which will be less following annexation, but at the same time Homer is increasing its fire dept. budget so that the contract cost to KESA may not drop at all. (R. at 2692, n 67.)

The problem with taking money from KESA and giving it to Homer is that Homer cannot provide the same improvements to services in the outlying areas that KESA can, simply because of jurisdictional issues. Homer simply does not have the authority to place equipment, or build stations or water supplies outside of its boundaries. Homer also has different priorities for what to spend the fire dept.'s money on, because their focus is meeting urban needs. (R. at 1014.) Homer cannot make up for the loss to KESA by improving its own services, because that does not meet KESA's needs.¹⁵

STATE'S BEST INTEREST

What is the state's interest? Boiled down, as relates to the issue before the LBC, the state's interest is efficient delivery of necessary local government services. The LBC's standards for annexation reflect this interest. For example, 3 AAC 110.090(b) states "A territory may not be annexed to a city if essential city services can be provided more efficiently and more effectively by another existing city or by an organized borough." (R. at 105, emphasis added.) Or, 3 AAC 110.130(a) "The proposed boundaries of the city must include all land and water necessary to provide the full development of essential city services on an efficient, cost-effective level." (R. at 106, emphasis added.)

¹⁵ The only possible way to compensate KESA for the loss would be to reduce the contract price, then KESA would have more money to put toward meeting the needs of the area.

There is a need for fire and emergency medical services that KESA can meet, that Homer cannot, simply because Homer cannot station equipment or build stations or set up water storage outside of the city. Homer has done a good job within its limits¹⁶ but as the area grows more is needed. Taking a hefty chunk of tax base away from KESA and giving it to Homer hurts KESA's ability to provide the needed services and does nothing to increase Homer's ability to do so. KESA's focus is on the needs of a rural population much of which is living within a tinderbox. Homer's focus is on city needs, they have commercially developed areas in town and on the spit, and a harbor and an airport with specialized needs. (R. at 1014.) The benefits of annexation to Homer have nothing to do with saving lives or property, but rather have to do with replacing septic systems with city sewers and "equitable" taxes. (R. at 3384-85.) The state's interest is seeing that the important needs of fire protection and emergency medical services are met before other needs.

Fire fighting is particularly in the state's interest in areas with heavy beetle-kill, as fighting wildfires is the state's responsibility. According to the state forestry website:

A successful initial attack can save the state millions of dollars in suppression costs. A trained, experienced, and well-equipped workforce is essential to locate and initial attack wildland fires while they are small. The cost of a successful initial attack averages \$4 thousand dollars per fire compared to costly "project" fires that can cost from \$3 million to \$30 million dollars to suppress. One of the Division of Forestry's top priorities is the aggressive and effective initial attack of wildland fires in the full and critical protection areas of the state.

(Ex. AD.) KESA is looking at a loss to their budget of up to \$114,593; if, as a result, they don't have the \$4,000 for an initial attack to prevent a large wildfire, it could cost the state millions. KESA's ability to provide an initial attack is very much in the state's interest, not just for

¹⁶ For example, relying on commercial water haulers to voluntarily respond to fires to supplement the city tankers, which makes up for the long time it takes for a full tanker to travel from the city to the higher elevations in KESA. But they don't always respond.

suppression costs saved but for lives and property saved. The theoretical advantages of replacing septic systems with city sewer (R. at 3384-85) pale in comparison to the state's interest in saving lives and preventing catastrophic wildfires.

CONCLUSION

KESA is adversely impacted by annexation, reducing its ability to provide needed fire and emergency services. The impact is on KESA's ability to provide emergency services in the greater area surrounding Homer, an impact that cannot be mitigated through any improvements to HVFD. There is no more important government service than saving lives and homes and businesses. The adverse impact on the ability to provide needed emergency services to the greater area is not in the state's interest.

The LBC should find that annexation is not in the state's interest and deny it. If the annexation is re-approved despite the adverse impact on emergency services, the decision must be resubmitted to the Legislature for their approval or veto. Ultimately it is the Legislature, as representatives of the people of Alaska, that decides what is in the state's interest, and for that reason the Legislature must review any LBC decision that is not approved by a vote of the people.

LIST OF EXHIBITS

- A. KESA Comprehensive Plan
- B. HVFD Inc. Articles of Incorporation
- C. Personal Property Lease Agreement (HVFD)
- D. Disposition of HVFD Inc. Assets
- E. HVFD Member Association printout from DCED Corporations page
- F. KPB Ord. 94-40 (proposing a Kachemak area service area)
- G. KPB Ord. 94-41 (proposing a Kachemak area service area)
- H. Agenda for informal meeting (fire service and annexation)
- I. Letter Marie Walli to Bonnie Golden, KPB
- J. KPB Ord. 2000-29, and memo (establishing the fire service area)
- K. KPB Ord. 2000-092 (certifying the Oct. 3 election results)
- L. KPB Ord. 2000-19-21 (startup costs and name change to KESA)
- M. KESA board minutes for 11/30/00
- N. KESA board minutes for 6/28/01
- O. Contract between Homer and KESA, July, 2001
- P. Contract between Homer and KESA, Jan. 2002
- Q. KESA board minutes for 2/1/01
- R. KESA board minutes for 2/8/01
- S. KESA board minutes for 3/8/01
- T. KESA board minutes for 4/12/01
- U. KESA board minutes for 10/25/01
- V. KESA board minutes for 11/8/01
- W. KESA board minutes for 1/3/02
- X. KPB Ord. 2001-48 (adding Millers Landing)

Y. KESA board minutes for 1/25/01

Z. KPB Ord. 2001-19-14 (accepting grant for vehicle purchase)

AA. KPB Ord. 2001-19-15 (accepting a grant for fire response equipment)

AB. KPB Ord. 2001-19-07 (KESA budget for fiscal 2001/2002)

AC. KESA board minutes for 3/29/01

AD. Division of Forestry website, printout (fire information)

AE. Map from census website showing Fox River CDP

Kachemak Emergency Service Area

Comprehensive Plan June 2001

Kachemak Emergency Service Area was established by the voters in the Kenai Peninsula Borough municipal elections on October 3, 2000. Increasing residential development compounded by heightened fire danger due to the concentrated spruce bark beetle infestation in this rural area provided significant impetus for voter approval to tax themselves for better fire suppression and ambulance service. Kachemak Emergency Services was accepted as a registered fire department in the State of Alaska on April 3, 2001, and is responsible for providing fire suppression and emergency medical services to the area surrounding Homer and Kachemak City in south central Alaska.

The mission of Kachemak Emergency Services is to provide its residents with high quality and affordable fire suppression and emergency medical services by attracting and retaining dedicated responders, providing adequate training, and acquiring apparatus and equipment most appropriate for the area's rural character. Our primary objective is to prevent or reduce the loss of lives and property by improving response capability to emergency situations.

In January, 2001, we conducted a survey of our residents, asking them to identify their needs, concerns, and willingness to pay for fire suppression and emergency medical services. Their response shaped our long-term goals and objectives for service delivery.

To best meet the needs of our residents, Kachemak Emergency Services intends, over time, to house appropriate apparatus and equipment at strategic locations in the service area, conforming to industry standards for reasonable response. This will require a large base station near Mile 12 East End Road and a smaller satellite station between Mile 17 and 22 East End Road to serve the eastern portion of the service area including Fritz Creek and Fox River, and the Russian villages of Voznesenka, Razdolna, and Kachemak Selo. For the western portion, including Diamond Ridge and Skyline Drive, one medium station will be built on Diamond Ridge Road within 3 miles of the intersection with the Sterling Highway and a smaller satellite station will be located near the intersection of Skyline Drive and Ohlson Mountain Road.

The eastern portion of the service area will be the first priority for development because its residents are generally farther from facilities in Homer. This portion also has a higher population and population density. Immediate needs include first responder kits for volunteers and a rented garage for one ambulance and two fire engines. The longer-term goal is to acquire land and build a station near McNeil Canyon Elementary School. The station will be of sufficient size to house an ambulance, fire engine, fast attack engine, brush truck, and water tender. It will be designed to accommodate two additions: a community hall on one side and two vehicle bays on the other. The community hall will serve as a command center as necessary for mass disasters and as a gathering place for area residents the rest of the time. Having such a facility will encourage a sense of community, provide a local meeting place for civic groups, and by proximity, promote participation in our fire department. The additional vehicle bays will become necessary to house more sophisticated apparatus as the community grows.

A satellite station will eventually be built farther out East End Road to house an ambulance and fast attack fire engine to facilitate quicker medical response and initiate fire suppression until apparatus gets on scene from the McNeil Canyon station.

Ex. A p. 1

Underground water storage tanks and access to existing water sources will enhance our fire suppression capability. We will work with Voznesenka to access their new water system, including the hydrant system in the village and a 100,000-gallon water storage tank. We will develop dry hydrant access to ponds and streams. We will include a large water storage tank in the McNeil Canyon station design.

The western portion of the service area will require a smaller scale infrastructure. An ambulance, fast attack engine, and one brush truck will initially be housed in a rented garage along Diamond Ridge Road. We will seek used equipment in good condition for reasonable prices to place in service until we can afford new apparatus. Long-term, we anticipate a satellite station to house a brush truck and ambulance will be needed near the Skyline Drive-Ohlson Mountain Road intersection. We will pursue renting garage space as residential development expands in this area before committing to construction. We will promptly install two 10,000-gallon water storage tanks: one at the Diamond Ridge-Sterling Highway intersection and the other on Skyline Drive because hauling water uphill from Homer is too time consuming for effective fire suppression.

We will enhance VHF radio communications capacity throughout the service area, particularly those dead spots on the north side of Diamond Ridge and along East End Road between Mile 15 and 21. We will identify appropriate repeater sites and work with other agencies to share the cost of tower construction and maintenance.

We will recruit volunteers from the outlying areas to improve response capability. We will provide adequate training and incentives to retain our volunteers because we recognize that they are the key to affordable quality service. We will provide emergency medical responders with automated external defibrillators and jump kits to accelerate initial local response while the ambulance gets underway from the station.

We will work with the Homer Volunteer Fire Department to maximize opportunities for joint service improvement projects, especially for the western portion of the service area.

We will use mutual aid agreements and long range planning to avoid unnecessary duplication of services, equipment, and facilities.

We will pursue external funding opportunities to acquire apparatus and equipment because these items are very expensive and would impose an enormous financial burden on our residents to pay for them with only local tax dollars.

We will develop our operating plan and budget each year to work toward our long-term goals, striking a reasonable balance between service quality and affordability. We will keep our residents informed, encourage their participation, and be responsive to their needs.

We will comply with all relevant actions prescribed in the Kenai Peninsula Borough's comprehensive plan as adopted on May 5, 1992 and as amended in the future.

This comprehensive plan was formally adopted upon Kenai Peninsula Borough Assembly approval of KESA's FY2001-2002 budget and operating plan on June 5, 2001.

Scott Cunningham, KESA chair

Ex. A, p. 2

ARTICLES OF INCORPORATION
OF
HOMER VOLUNTEER FIRE DEPARTMENT

KNOW ALL MEN BY THESE PRESENTS: THAT We, the undersigned, have this day voluntarily associated ourselves together for the purpose of forming a corporation under the laws of the Territory of Alaska.

AND WE HEREBY CERTIFY:

FIRST: That the name of said corporation is to be the Homer Volunteer Fire Department, Incorporated, a non-profit corporation.

SECOND: That the purposes for which it is formed are to carry out the fighting of fires, fire prevention and education and other allied fields in addition to those mentioned herein, in the vicinity area and locality of Homer, Alaska.

THIRD: That the place where its principal business is to be transacted shall be the town of Homer, Alaska.

FOURTH: That the terms for which it is to exist is fifty years from and after the date of its incorporation.

FIFTH: That the number of its trustees shall be five, and that the names and residences of those appointed for the first six months after the date of Incorporation thereof are:

John H. Scott	Homer, Alaska
M. A. Wright	Homer, Alaska
Don E. Smith	Homer, Alaska
S. S. Gnad	Homer, Alaska
E. P. Carlson, Sr.	Homer, Alaska

SIXTH: The terms of admission to membership of this corporation shall be upon written request accompanied by the admission fee as set by the by-laws and upon final approval of the applicant by the Board of Trustees, under the rules set by the by-laws of this corporation.

SEVENTH: The highest amount of indebtedness or liability to which the Corporation shall at any time be subject will be in the amount of Fifty Thousand Dollars (\$50,000.00).

EIGHTH: The affairs of this Corporation shall be managed by the temporary Board of Trustees acting as a Board and by and through the officers of the Corporation. The permanent Board of Trustees and permanent officers shall be elected six months from the date of incorporation and the temporary Board of Trustees shall govern this Corporation until that time, and all officers and trustees shall be members in good standing of this Corporation during their tenure in office.

NINTH: That this Corporation shall have the power to buy and sell real estate, personal property and interests in either, and shall lend and borrow money and either, and generally conduct its own business affairs for the advantage of the Corporation.

TENTH: That in case of dissolution of this Corporation for any reason at at any time, all equipment, records, real property and personal property or interest therein owned outright, by lease, gift or otherwise, shall not be sold but all given to the Governing Body of the area that this Corporation serves.

Ex. B, p. 1

ELEVENTH: That the names of the temporary officers of this Corporation shall be;

John H. Scott
M. A. Wright
Don E. Smith

President
Vice President
Secretary-Treasurer

These officers shall hold temporary positions for the first six months of this Corporation's existence until the first General Election.

TWELFTH: That the Board of Trustees shall be elected individually by the majority vote of the membership of this Corporation for terms of office as set forth by the by-laws.

THIRTEENTH: That said Board of Trustees shall meet and adopt a set of By-laws to be voted upon by said membership to amend, repeal, alter or modify such By-laws. A two-thirds vote of the membership shall be required to amend said By-laws thereafter.

FOURTEENTH: The private property of the stockholders shall be exempt from corporation liability except to the extent and in the manner provided by the laws of the Territory of Alaska.

FIFTEENTH: In witness whereof, We, the incorporators, adult persons, over twenty-one years of age, and bona fide citizens of the United States of America, the same being the persons herein named above as the first Trustees, have hereunto set our hands and seals at Homer, Alaska, this tenth day of February, 1954.

/s/ John H. Scott

/s/ M. A. Wright

/s/ Don E. Smith

/s/ S. S. Gnad

/s/ E. P. Carlson, Sr.

UNITED STATES OF AMERICA)
TERRITORY OF ALASKA)

ss:

I, /s/ Marion V. Koepfel, a Notary Public in and for the Territory of Alaska, do hereby certify that John H. Scott, M. A. Wright, Don E. Smith, S. S. Gnad, and E. P. Carlson, Sr., who are personally known to me to be the persons whose names are signed to and who executed the foregoing Articles of Incorporation of the Homer Volunteer Fire Department appeared before me this day in person and severally acknowledged to me that they signed, sealed, executed and delivered the said Articles of Incorporation, in quadruplicate, as their free voluntary act for the uses and purposes therein set forth.

WITNESS my hand and notarial seal, in quadruplicate, at Homer, in the Territory of Alaska this 10th day of February, 1954.

/s/ Marian V. Koepfel
Notary Public, Territory of Alaska
Residing at Homer, Alaska
My commission expires: Aug. 23, 1955

Ex. B, p. 2

PERSONAL PROPERTY LEASE AGREEMENT

This Lease, effective the 1st day of June, 1991, by and between the CITY OF HOMER, an Alaskan Municipal Corporation, referred to hereinafter as the "City" and THE HOMER VOLUNTEER FIRE DEPARTMENT, INC., an Alaskan non-profit corporation, hereinafter referred to as the "HVFD Inc.",

WITNESSETH:

The HVFD Inc. does hereby let and demise to the City, and the City does hereby lease from HVFD Inc., the personal property described in the attached inventory.

The term of this lease shall be for the balance of the useful life of each item of personal property, commencing on the 1st day of June, 1991, unless sooner terminated as hereinafter provided.

The following terms and conditions shall govern the issuance of this lease:

1. RENTAL The consideration for this lease shall be the sum of One Dollar (\$1.00) per year for the entire lot payable by City to the HVFD Inc. on or before the first day of July each year.

2. USE AND PRESERVATION OF PROPERTY The City shall have the full use and control of the property to provide emergency services and related activities for the term of the lease. The City shall use the property in a careful and proper manner, shall comply with all applicable laws and regulations, and generally preserve the property for its intended use and purpose. The use of these property shall be in a manner consistent with standards of good practice for the provision of fire protection services and emergency medical services. Major equipment modifications shall be made only with the mutual consent of both parties. Engine-1 is included only to maintain and retain the first fire apparatus used in Homer for historical purposes. It is not be used in routine emergency operations.

3. SPECIAL REQUIREMENTS FOR USE AND TERMINATION The City agrees to use the property to serve the public throughout the road system in the Homer area. This area is defined as all areas on the contiguous road system South of the Anchor Point Fire and Rescue Service Area historically served by the HVFD Inc.. Failure to serve any portion of this area as an act of public policy will result in the immediate termination of this lease unless otherwise agreed to by the HVFD Inc.. The HVFD Inc. may not terminate the lease for any other reason without the consent of the City.

4. DISSOLUTION OF THE HOMER VOLUNTEER FIRE DEPARTMENT INC. In the event of dissolution of the HVFD Inc. or termination of its charter as a nonprofit corporation, all vehicles, equipment and assets of the HVFD Inc. shall be transferred to and become the property of the service provider serving the Homer area, unless the parties agree otherwise in writing.

Ex. C, p. 1

5. INVENTORIES The HVFD Inc. shall identify and permanently label all HVFD Inc. assets and shall be responsible to maintain the inventories and property management records for all HVFD Inc. assets.

6. SURPLUS PROPERTY Property from the Inventory deemed to be surplus by the City will be returned to the HVFD Inc..

7. REPAIRS AND MAINTENANCE The City shall, at its own cost and expense, repair and maintain the property described in the Inventory during the term of the lease. The vehicles described in the Inventory shall be maintained in accordance with a preventative maintenance program.

8. INSURANCE The City shall provide Physical Damage insurance or evidence of self-insurance for the leased vehicles in the Inventory equal to the actual cash value of each vehicle. In the event of a lose, any insurance proceeds may be used to repair the vehicle, or replace it for the benefit of HVFD Inc., or the proceeds will be paid to HVFD Inc.

9. LIABILITY The City shall hold the HVFD Inc. harmless from any claims made against the HVFD Inc. for negligent acts or omissions of the City, it's officers, agents, employees and volunteers for damages arising out of the use of the leased personal property.

10. MODIFICATIONS It is mutually understood and agreed that this lease document and the Inventory incorporated herein by reference constitute the entire agreement between the City and the HVFD, Inc., and no modification of this lease shall be binding unless in writing and duly executed by the parties hereto.

11. NOTICES Any notice or request which must be given or made by the parties hereto shall be in writing and hand delivered or mailed to the parties at the following addresses:

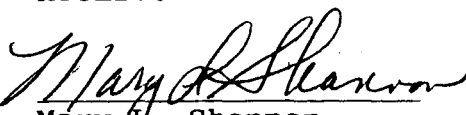
IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 7th day of October 1992.

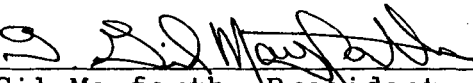
CITY OF HOMER

By: 
Richard Leland, City Manager

HOMER VOLUNTEER FIRE DEPARTMENT INC.

ATTEST:


Mary W. Shannon
City Clerk

By: 
Gil Mayforth, President, HVFD Inc.

EX. C, p. 2

INVENTORY OF LEASED HVFD INC. PERSONAL PROPERTY

<u>VEHICLE</u>	<u>YEAR</u>	<u>IDENTIFICATION NUMBER</u>
Rescue-1	1971	CE631P110695
Medic-1	1984	1GBJK34W6EV114050
Medic-2	1977	CKR337J180643
Utility-2	1967	729693
Utility-3	1974	J4A466KN18954
Engine-1	1953	453GB213313

1	Sony TV	SN# 7068970
1	Sony VCR	SN# 44286
1	Xerox Personal Computer	SN# 8417702
1	Xerox PC Printer	SN# W27-025492
1	Pool Table & Accessories	
1	Satellite Dish and Receiver	

Ex. C, p. 3

STATE OF ALASKA

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)ss.

THIRD JUDICIAL DISTRICT

)

October THIS IS TO CERTIFY that on this 7th day of October, 1992, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Richard Leland, known to me and to me known to be the City Manager of the CITY OF HOMER, and known to me to be the individual named in and who executed the foregoing document and he acknowledged to me that he was authorized to execute the foregoing document by the authority granted him by the CITY OF HOMER for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first hereinabove written.

Mary A. Shannon
Notary Public in and for Alaska
My Commission Expires: 10/14/95

STATE OF ALASKA

)

)ss.

THIRD JUDICIAL DISTRICT

)

October THIS IS TO CERTIFY that on this 7th day of October, 1992, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Gil Mayforth, known to me and to me known to be the President of the HOMER VOLUNTEER FIRE DEPARTMENT INC., and known to me to be the individual named in and who executed the foregoing document and he acknowledged to me that he was authorized to execute the foregoing document by the authority granted him by the HOMER VOLUNTEER FIRE DEPARTMENT INC. for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first hereinabove written.

Mary A. Shannon
Notary Public in and for Alaska
My Commission Expires: 10/14/95

Ex. C, p. 3

DISPOSITION OF HVFD INC. ASSETS

This Agreement, made effective the 1st day of June, 1991, by and between the CITY OF HOMER, an Alaskan Municipal Corporation, referred to hereinafter as the "City" and the HOMER VOLUNTEER FIRE DEPARTMENT, INC., an Alaskan non-profit corporation, hereinafter referred to as the "HVFD Inc.",

WITNESSETH:

On June 1, 1991 the Homer Volunteer Fire Department, Inc. terminated it's contracts with the City of Homer and Kachemak City and ceased all activities as a provider of fire and emergency services. On that same date the City of Homer assumed all the responsibilities for the provision of fire and emergency services.

The HVFD Inc. does hereby convey, free and clear title to the City, and the City does hereby accept from HVFD Inc., the miscellaneous personal property described by general category herein:

- Firefighting Equipment and Supplies
- Firefighting Training Supplies and Training Aids
- Fire Prevention & Public Education Materials
- EMS Equipment and Supplies
- EMS Training Supplies and Training Aids
- EMS Public Education Materials
- Maintenance Tools and Equipment
- Furnishings
- Other Miscellaneous Items

The City as the provider of emergency services shall use the property in a careful and proper manner consistent with standards of good practice for the provision of fire protection services, emergency medical services and related activities.

The City acknowledges the hard work and diligence of the HVFD Inc. and the volunteers in acquiring and using these assets in the service of their community, and appreciates the efforts of the volunteers to support a positive transition of services and assets to the City.

The HVFD Inc. and the City shall review their records and notify the agencies that have provided grants to the HVFD Inc. in the past of the change in service provider and the transfer of assets. In the event that an agency should have an objection to the transfer of an asset to the City the parties shall work together to develop a solution agreeable to the granting agency and that meets the public's best interest.

Ex. D, p. 1

Under this agreement the HVFD Inc. retains ownership of financial assets, vehicles, corporate records, corporate memorabilia, and the personal property specifically identified herein:

1 Sony TV SN# 7068970
1 Sony VCR SN# 44286
1 Xerox Personal Computer SN# 8417702
1 Xerox PC Printer SN# W27-025492
1 Pool Table & Accessories
1 Satellite Dish and Receiver

<u>VEHICLE</u>	<u>YEAR</u>	<u>IDENTIFICATION NUMBER</u>
Rescue-1	1971	CE631P110695
Medic-1	1984	1GBJK34W6EV114050
Medic-2	1977	CKR337J180643
Utility-2	1967	729693
Utility-3	1974	J4A466KN18954
Engine-1	1953	453GB213313

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals this 7th day of October 1992.

CITY OF HOMER

By: 
Richard Leland, City Manager

HOMER VOLUNTEER FIRE DEPARTMENT INC.

ATTEST:


Mary L. Shannon
City Clerk

By: 
Gil Mayforth, President, HVFD Inc.

Ex. D, p. 2

STATE OF ALASKA

)
)ss.

THIRD JUDICIAL DISTRICT

)

THIS IS TO CERTIFY that on this 7th day of October, 1992, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Richard Leland, known to me and to me known to be the City Manager of the CITY OF HOMER, and known to me to be the individual named in and who executed the foregoing document and he acknowledged to me that he was authorized to execute the foregoing document by the authority granted him by the CITY OF HOMER for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first hereinabove written.

Mary L. Shannon
Notary Public in and for Alaska
My Commission Expires: 10/14/95

STATE OF ALASKA

)
)ss.

THIRD JUDICIAL DISTRICT

)

THIS IS TO CERTIFY that on this 7th day of October, 1992, before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared Gil Mayforth, known to me and to me known to be the President of the HOMER VOLUNTEER FIRE DEPARTMENT INC., and known to me to be the individual named in and who executed the foregoing document and he acknowledged to me that he was authorized to execute the foregoing document by the authority granted him by the HOMER VOLUNTEER FIRE DEPARTMENT INC. for the uses and purposes therein set forth.

WITNESS my hand and notarial seal the day and year first hereinabove written.

Mary L. Shannon
Notary Public in and for Alaska
My Commission Expires: 10/14/95

EX. D. p. 3

[Print](#) [Close](#)

NAME OF ENTITY: HOMER VOLUNTEER FIRE DEPARTMENT MEMBER
ASSOCIATION

ALASKA ENTITY NUMBER: 2856D

STATUS: ACTIVE

STATUS DATE: March 08, 1954

LAST BIENNIAL REPORT YEAR FILED: 2002

DATE OF FORMATION: March 08, 1954

STATUTE: 10.20

DOMICILE: ALASKA

SIC CODE: 9200

PURPOSE: FIRE DEPT.

REGISTERED AGENT: DOUG VAN PATTEN

REGISTERED AGENT MAILING
ADDRESS:

PO BOX 3745
HOMER AK 99603

PRINCIPAL OFFICE MAILING
ADDRESS:

PO BOX 3745
HOMER AK 99603

Officers, Directors, 5% or more Shareholders, Members or Managers

OFFICER NAME	% STOCKHOLDER	TITLE
CAREY JAMES	0.00	PRESIDENT
PETE COOTS	0.00	VICE PRESIDENT
JOE MILES	0.00	SECRETARY
GARY THOMAS	0.00	TREASURER DIRECTOR

Additional officers may be on file.

Ex. E

Introduced by: Mayor
Date: 08/02/94
Hearing: 09/06/94
Action: Withdrawn by Sponsor
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 94-40**

**AN ORDINANCE ESTABLISHING A NEW EMERGENCY SERVICE AREA FOR
PROVISION OF FIRE PROTECTION SERVICES AND EMERGENCY MEDICAL
SERVICES IN THAT GEOGRAPHIC AREA DESCRIBED AS THE DIAMOND
RIDGE/FRITZ CREEK EMERGENCY SERVICE AREA**

WHEREAS, fire and emergency medical services in the proposed service area are currently provided to the Diamond Ridge/Fritz Creek area by the City of Homer; and

WHEREAS, with the growth of the Diamond Ridge/Fritz Creek community, the frequency of fire and rescue calls is continuing to increase; and

WHEREAS, it is beyond the ability of the City of Homer to continue to provide the level of service that the Diamond Ridge/Fritz Creek community desires; and

WHEREAS, the present relationship does not provide for the equitable sharing of the cost of the services among those who receive the services; and

WHEREAS, the formation of a service area encompassing the Diamond Ridge/Fritz Creek community is the method provided by statutes for organizing and funding the desired services; and

WHEREAS, the best interests of the Diamond Ridge/Fritz Creek community requires maintaining and increasing the level of fire and emergency medical services available; and

WHEREAS, the City of Homer is willing and able to provide continued emergency services with the Diamond Ridge/Fritz Creek community by contract;

**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI
PENINSULA BOROUGH:**

SECTION 1. That a new Chapter 16.80 is hereby enacted to read as follows:

**CHAPTER 16.80.
DIAMOND RIDGE/FRITZ CREEK EMERGENCY SERVICE AREA**

16.80.010. Boundaries.

There is hereby established a Diamond Ridge/Fritz Creek Emergency Service Area within that portion of the Borough described as: THE DIAMOND RIDGE/FRITZ CREEK VOTING PRECINCTS

16.80.020. Mill Levy.

No mill levy in excess of 2.50 mills shall be levied on behalf of the service area unless an increase is approved by a majority vote of the voters at an election within the service area.

16.80.030. Service area board.

There is established a service area board of directors for oversight of the Diamond Ridge/Fritz Creek Emergency Service Area to be composed of five (5) members who shall be nominated and elected by the qualified voters residing within the proposed service area as provided in Secs. 4.10.020(C) and 16.04.065 of this Code.

16.80.040. Board - Meetings - Quorum.

The board shall meet periodically at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the chairman of the board or by any two members upon one day's notice thereof published in a newspaper or via radio having general distribution within the service area. The notice shall set forth the time and place of the meeting and shall be mailed or telephoned to each board member. All meetings are open to the public as provided in AS 29.23.580 and AS 44.62.310 and in accordance with the policies set forth in AS 44.62.312. Three board members shall constitute a quorum; however, an action shall require the affirmative vote of three board members.

16.80.050. Board - Election of officers.

At the first regular meeting following certification of the election by the Assembly, and annually thereafter, the board shall elect by majority vote of the board members and from the board members a chairman and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

16.80.060. Board - Terms of office.

A member of the board of directors shall be elected for a term of three years and shall serve thereafter until his successor has been elected, qualified and sworn to assume the duties of the office, except that the first board shall contain members elected for lesser periods as designated in the documents setting up the election to provide for staggered terms.

16.80.070. Board - Vacancies - Created when.

Vacancies on the board are created upon declaration of vacancy by the board if a member:

- A. Fails to qualify or take office within 30 days after his or her election or appointment;
- B. Is physically absent from the service area for a 90-day period, unless excused by the board;
- C. Changes his or her residency for a period longer than 60 days to a location outside of the jurisdiction from which the board is elected;
- D. Resigns and his or her resignation is accepted;

- E. Is physically or mentally unable to perform the duties of his or her office;
- F. Misses three consecutive regular meetings unless excused; or
- G. Is convicted of a felony or of an offense involving a violation of his or her oath of office.

16.80.080. Board - Vacancies - Filling.

Vacancies on the board shall be filled by majority vote of the remaining board until the next regular election of the Borough at which a new member shall be elected to fill the unexpired term or for a three-year term if no unexpired term remains.

16.80.090. Board - Powers and duties.

Pursuant to the provisions of AS 29.63.090 the board of directors of the service area, subject to Assembly approval and appropriation of funds, shall have the power to establish the scope and level of services to be provided within the Diamond Ridge/Fritz Creek Emergency Service Area and provide for funding, contract for services, and provide facilities. The service area board shall promptly furnish accurate and complete copies of minutes of all board meetings to the Mayor and Assembly.

16.80.100. Service area policies - Formulation and authority - Approval required.

The service area board shall formulate policies to govern the service area. Such policies shall be approved by service area board, the Mayor, and the Borough Assembly by resolution.

16.80.110. Procedure - Conduct of affairs - Meetings.

The service area board shall adopt bylaws or regulations governing the conduct of its affairs so long as such bylaws are procedural in nature and do not conflict with the substantive rules and regulations governing the service area board. The service area board shall adopt rules of procedure for the conduct of its meetings so long as such rules of procedure are not in conflict with rules and regulations governing the operations of the service area board.

16.80.120. Service area board - Reports required - Annual.

The service area board shall make a complete annual report to the Mayor within one month after the close of the fiscal year, such report to include the information specified by the rules and regulations of the Borough, together with comparative data for previous years and recommendations for improving the service to the service area.

16.80.130. Budget and fiscal control.

The formulation of a budget and fiscal control of expenditures of public monies of the Diamond Ridge/Fritz Creek Emergency Service Area are under the supervision and direction of the Mayor and Assembly. The Finance Director of the Borough shall provide the service area board with the rules and regulations governing the appropriation of funds, the budgeting of funds, the authorization of expenditures, and any and all rules and regulations of the Borough fiscal policy to which the service area is subject. The service area board shall arrange for the preparation of a budget which shall be submitted to the Mayor for approval. The budget shall be subject to the procedures for adopting the Borough budget and capital expenditures program and its consideration by the Borough Assembly.

16.80.140. Purchasing - Agent.

The purchasing agent for the service area is the Borough Finance Director. All purchases of supplies, materials, equipment, and contractual services shall be made in accordance with the rules and regulations adopted by the Borough Assembly.

16.80.150. Accounts - Vouchers - Accounting.

All accounting functions for the service area shall be under the supervision of the Borough Finance Director who shall provide rules, regulations, and procedures governing the issuance and payment of vouchers, the issuance and payment of checks, the use of the central treasury of the Borough, and the manner in which all bonds, contracts, leases or other obligations requiring the payment of funds from the appropriations in the service area budget are to be processed and administered.

16.80.160. Fiscal procedures.

The service area shall abide by the fiscal policies and procedures applicable to the Borough general government budget.

16.80.170. Contract for the provision of services to the Diamond Ridge/Fritz Creek Emergency Service Area by the City of Homer.

Prior to the initial effective date of the new Diamond Ridge/Fritz Creek Emergency Service Area, the Interim Board of Directors and the City of Homer shall develop a contract for services which shall contain the terms and conditions under which the City of Homer will provide emergency services within the Diamond Ridge/Fritz Creek Emergency Service Area. The contract shall provide for the continuation of services at current levels for a term of one year at a tax rate of approximately 1.25 mills. Additionally, the residents of the Diamond Ridge/Fritz Creek Emergency Service Area shall be subject to the same emergency service billing schedule as the residents of the City of Homer.

16.80.180. Fire Chief - Authority.

The Fire Chief or other officers of the City of Homer, Homer Volunteer Fire Department shall have the exclusive authority to manage and administer the operations of the department and the delivery of emergency services, organize and supervise all personnel in the department, have the use and control of all emergency service facilities, equipment and resources, and shall have the authority to execute all laws, regulations, ordinances and rules pertaining to fire protection, emergency medical and related services within the Diamond Ridge/Fritz Creek Emergency Service Area.

SECTION 2. That the Mayor is hereby authorized to appoint an interim board of directors, to be made up of residents of the Diamond Ridge/Fritz Creek Voting Precinct which interim board shall serve until such time as an elected board is sworn in following the regular election of October, 1995. The interim board shall be appointed within 30 days of certification of voter approval of establishment of the new Diamond Ridge/Fritz Creek Emergency Service Area, and shall be responsible for preparation of a proposed budget and contract for the 1995-96 fiscal year for implementation as of July 1, 1995. Board seats to be elected at the October 1995 regular election shall be staggered as follows: Seat A for one year, seats B and C for two years, and seats D and E for three years.

SECTION 3. That this ordinance shall take effect immediately upon certification of the special election to be held in January 1995, provided that the voters of the new Diamond Ridge/Fritz Creek Emergency Service Area approve a ballot measure authorizing exercise of the powers set out through this ordinance.

SECTION 4. That the following proposition shall be placed before the voters of the Diamond Ridge/Fritz Creek Emergency Service Area at an election to be held in January 1995:

PROPOSITION

Shall the Diamond Ridge/Fritz Creek Emergency Service Area be established for the purpose of providing emergency medical services and ambulance services and fire protection within its boundaries?

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____
DAY OF _____, 1994.**

Betty J. Glick, Assembly President

ATTEST:

Gaye J. Vaughan, Borough Clerk

Introduced by: Mayor
Date: 08/02/94
Hearing: 09/06/94
Action: Withdrawn by Sponsor
Vote:

**KENAI PENINSULA BOROUGH
ORDINANCE 94-41**

**AN ORDINANCE ESTABLISHING A NEW EMERGENCY SERVICE AREA FOR
PROVISION OF FIRE PROTECTION SERVICES AND EMERGENCY MEDICAL
SERVICES IN THAT GEOGRAPHIC AREA DESCRIBED AS THE KACHEMAK BAY
EMERGENCY SERVICE AREA**

WHEREAS, fire and emergency medical services in the proposed service area are currently provided to the Kachemak Bay area by the City of Homer; and

WHEREAS, with the growth of the Kachemak Bay community, the frequency of fire and rescue calls is continuing to increase; and

WHEREAS, it is beyond the ability of the City of Homer to continue to provide the level of service that the Kachemak Bay community desires; and

WHEREAS, the present relationship does not provide for the equitable sharing of the cost of the services among those who receive the services; and

WHEREAS, the formation of a service area encompassing the Kachemak Bay community is the method provided by statutes for organizing and funding the desired services; and

WHEREAS, the best interests of the Kachemak Bay community requires maintaining and increasing the level of fire and emergency medical services available; and

WHEREAS, the City of Homer is willing and able to provide continued emergency services with the Kachemak Bay community by contract;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That a new Chapter 16.90 is hereby enacted to read as follows:

**CHAPTER 16.90
KACHEMAK BAY EMERGENCY SERVICE AREA**

16.90.010. Boundaries.

There is hereby established a Kachemak Bay Emergency Service Area within that portion of the Borough described as: THE KACHEMAK BAY VOTING PRECINCT

16.90.020. Mill Levy.

No mill levy in excess of 1.50 mills shall be levied on behalf of the service area unless an increase is approved by a majority vote of the voters at an election within the service area.

16.90.030. Service area board.

There is established a service area board of directors for oversight of the Kachemak Bay Emergency Service Area to be composed of five (5) members who shall be nominated and elected by the qualified voters residing within the proposed service area as provided in Secs. 4.10.020(C) and 16.04.065 of this Code.

16.90.040. Board - Meetings - Quorum.

The board shall meet periodically at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the chairman of the board or by any two members upon one day's notice thereof published in a newspaper or via radio having general distribution within the service area. The notice shall set forth the time and place of the meeting and shall be mailed or telephoned to each board member. All meetings are open to the public as provided in AS 29.23.580 and AS 44.62.310 and in accordance with the policies set forth in AS 44.62.312. Three board members shall constitute a quorum; however, an action shall require the affirmative vote of three board members.

16.90.050. Board - Election of officers.

At the first regular meeting following certification of the election by the Assembly, and annually thereafter, the board shall elect by majority vote of the board members and from the board members a chairman and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

16.90.060. Board - Terms of office.

A member of the board of directors shall be elected for a term of three years and shall serve thereafter until his successor has been elected, qualified and sworn to assume the duties of the office, except that the first board shall contain members elected for lesser periods as designated in the documents setting up the election to provide for staggered terms.

16.90.070. Board - Vacancies - Created when.

Vacancies on the board are created upon declaration of vacancy by the board if a member:

- A. Fails to qualify or take office within 30 days after his or her election or appointment;
- B. Is physically absent from the service area for a 90-day period, unless excused by the board;
- C. Changes his or her residency for a period longer than 60 days to a location outside of the jurisdiction from which the board is elected;
- D. Resigns and his or her resignation is accepted;
- E. Is physically or mentally unable to perform the duties of his or her office;
- F. Misses three consecutive regular meetings unless excused; or

G. Is convicted of a felony or of an offense involving a violation of his or her oath of office.

16.90.080. Board - Vacancies - Filling.

Vacancies on the board shall be filled by majority vote of the remaining board until the next regular election of the Borough at which a new member shall be elected to fill the unexpired term or for a three-year term if no unexpired term remains.

16.90.090. Board - Powers and duties.

Pursuant to the provisions of AS 29.63.090 the board of directors of the service area, subject to Assembly approval and appropriation of funds, shall have the power to establish the scope and level of services to be provided within the Kachemak Bay Emergency Service Area and provide for funding, contract for services, and provide facilities. The service area board shall promptly furnish accurate and complete copies of minutes of all board meetings to the Mayor and Assembly.

16.90.100. Service area policies - Formulation and authority - Approval required.

The service area board shall formulate policies to govern the service area. Such policies shall be approved by service area board, the Mayor, and the Borough Assembly by resolution.

16.90.110. Procedure - Conduct of affairs - Meetings.

The service area board shall adopt bylaws or regulations governing the conduct of its affairs so long as such bylaws are procedural in nature and do not conflict with the substantive rules and regulations governing the service area board. The service area board shall adopt rules of procedure for the conduct of its meetings so long as such rules of procedure are not in conflict with rules and regulations governing the operations of the service area board.

16.90.120. Service area board - Reports required - Annual.

The service area board shall make a complete annual report to the Mayor within one month after the close of the fiscal year, such report to include the information specified by the rules and regulations of the Borough, together with comparative data for previous years and recommendations for improving the service to the service area.

16.90.130. Budget and fiscal control.

The formulation of a budget and fiscal control of expenditures of public monies of the Kachemak Bay Emergency Service Area are under the supervision and direction of the Mayor and Assembly. The Finance Director of the Borough shall provide the service area board with the rules and regulations governing the appropriation of funds, the budgeting of funds, the authorization of expenditures, and any and all rules and regulations of the Borough fiscal policy to which the service area is subject. The service area board shall arrange for the preparation of a budget which shall be submitted to the Mayor for approval. The budget shall be subject to the procedures for adopting the Borough budget and capital expenditures program and its consideration by the Borough Assembly.

16.90.140. Purchasing - Agent.

The purchasing agent for the service area is the Borough Finance Director. All purchases of supplies, materials, equipment, and contractual services shall be made in accordance with the rules

and regulations adopted by the Borough Assembly.

16.90.150. Accounts - Vouchers - Accounting.

All accounting functions for the service area shall be under the supervision of the Borough Finance Director who shall provide rules, regulations, and procedures governing the issuance and payment of vouchers, the issuance and payment of checks, the use of the central treasury of the Borough, and the manner in which all bonds, contracts, leases or other obligations requiring the payment of funds from the appropriations in the service area budget are to be processed and administered.

16.90.160. Fiscal procedures.

The service area shall abide by the fiscal policies and procedures applicable to the Borough general government budget.

16.90.170. Contract for the provision of services to the Kachemak Bay Emergency Service Area by the City of Homer.

Prior to the initial effective date of the new Kachemak Bay Emergency Service Area, the Interim Board of Directors and the City of Homer shall develop a contract for services which shall contain the terms and conditions under which the City of Homer will provide emergency services within the Kachemak Bay Emergency Service Area. The contract shall provide for the continuation of services at current levels for a term of one year at a tax rate of approximately .75 mills. Additionally, the residents of the Kachemak Bay Emergency Service Area shall be subject to the same emergency service billing schedule as the residents of the City of Homer.

16.90.180. Fire chief - Authority.

The Fire Chief or other officers of the City of Homer, Homer Volunteer Fire Department shall have the exclusive authority to manage and administer the operations of the department and the delivery of emergency services, organize and supervise all personnel in the department, have the use and control of all emergency service facilities, equipment and resources, and shall have the authority to execute all laws, regulations, ordinances and rules pertaining to fire protection, emergency medical and related services within the Kachemak Bay Emergency Service Area.

SECTION 2. That the Mayor is hereby authorized to appoint an interim board of directors, to be made up of residents of the Kachemak Bay Voting Precinct which interim board shall serve until such time as an elected board is sworn in following the regular election of October, 1995. The interim board shall be appointed within 30 days of certification of voter approval of establishment of the new Kachemak Bay Emergency Service Area, and shall be responsible for preparation of a proposed budget and contract for the 1995-96 fiscal year for implementation as of July 1, 1995. Board seats to be elected at the October 1995 regular election shall be staggered as follows: Seat A for one year, seats B and C for two years, and seats D and E for three years.

SECTION 3. That this ordinance shall take effect immediately upon certification of the special election to be held in January, 1995 provided that the voters of the new Kachemak Bay Emergency Service Area approve a ballot measure authorizing exercise of the

powers set out through this ordinance.

SECTION 4. That the following proposition shall be placed before the voters of the Kachemak Bay Emergency Service Area at an election to be held in January 1995:

PROPOSITION

Shall the Kachemak Bay Emergency Service Area be established for the purpose of providing emergency medical services and ambulance services and fire protection within its boundaries?

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS _____
DAY OF _____, 1994.**

Betty J. Glick, Assembly President

ATTEST:

Gaye J. Vaughan, Borough Clerk

Bob Irwin, atty

AGENDA
For informal meeting

TIME: March 3, 2000 Friday evening at 7:00 p.m.

LOCATION: Kachemak Community Center located at Homer
East End Road and Bear Creek Drive

1. Introduction of Guest Speaker: Ed Oberts, Assistant to Kenai Peninsula Borough Mayor Dale Bagley
2. Presentation of Information on Formation of Borough Fire Service Areas:
 - A. Purpose of Borough Fire Service Areas
 - B. How they are formed
 - C. What they cost
3. Questions and Discussion
4. Proposed Annexation by the City of Homer
 - A. Public Comments on the Subject
 - B. Petition to Oppose Annexation
 - C. Petition in Favor of Forming a Borough Fire Service Area

* Both petitions will be available on the back table for people to sign after Mr. Obert's presentation

** Meeting will be conducted by Dr. Vi Jerrel, Ph.D., and will be videotaped by Channel 11 News, Anchorage

Ex. H

MAR-08-00 07:10 PM
March 8, 2000

Mrs. Marie Walli
Service Area Committee Chair,
Citizens Concern About Annexation
P.O. Box 1715
Homer, Alaska 99603

Ms. Bonnie Golden
Assistant to the Mayor
Kenai Peninsula Borough
144 N. Binkley
Soldotna, AK 99669

Dear Bonnie,

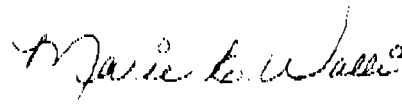
First I would like to say that it was nice visiting with you once again. It has been a long time since I've seen you and or called your office. As per our telephone conversation, March 7, requesting an appointment with the departments to look into forming an emergency service area within the boroughs jurisdiction, commonly known as the South Peninsula of the Kenai Peninsula Borough, I would like to confirm the date set.

Beverly called and an appointment was set for Tuesday, March 15. And, my understanding is that legal and finance department representatives; and, maybe assessing or planning for boundaries may be present too.

At this time I chair the committee on researching and forming an emergency service area. So, please do not hesitate to call me if there are questions before our meeting on March 15th.

Thank you for your time and consideration.

Sincerely,


Service Area Committee Chair

CC: Beverly Dove,
Executive Secretary, Borough Mayors Office

Ex. I

Introduced by:	Mayor
Date:	07/18/00
Hearings:	08/01/00 08/15/00
Action:	Amended and Postponed until 08/15/00
Action:	Enacted as Amended
Date:	08/15/00
Vote:	8 Yes, 0 No, 1 Absent

**KENAI PENINSULA BOROUGH
ORDINANCE 2000-29**

**AN ORDINANCE ESTABLISHING THE GREATER KACHEMAK VOLUNTEER FIRE
AND EMERGENCY MEDICAL SERVICE AREA AND PROVIDING FOR AN
ELECTED BOARD**

WHEREAS, more than 15 percent of the eligible voters who voted in the last regular borough election and within the area comprising the proposed Greater Kachemak Volunteer Fire and Emergency Medical Service Area have by petition requested the establishment of a fire and emergency medical service area district in the area described by the petition; and

WHEREAS, the proposed service area population has increased due to the growth and development in recent years creating an increased need for fire and emergency medical services; and

WHEREAS, the spruce bark beetle infestation has created an even greater fire hazard and adherent need for emergency service within the proposed service area; and

WHEREAS, the fire and emergency medical services in the proposed service area have been historically provided by the Homer Volunteer Fire Department, now known as the Homer Fire Department since 1991, City of Homer; and

WHEREAS, the proposed Greater Kachemak Volunteer Fire and Emergency Medical Service Area is to provide additional resources to meet the needs of the residents of the service area; and

WHEREAS, due to the size of the proposed service area, such services cannot be provided more efficiently or effectively by an existing service area, by annexation to a city, or by incorporation as a city; and

WHEREAS, although the service area may eventually employ personnel, it is intended that most services will be provided by volunteers.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. Title 16 of the Kenai Peninsula Borough Code of Ordinances is amended by adding a new chapter 16.20, which shall read as follows:

Chapter 16.20. GREATER KACHEMAK VOLUNTEER FIRE AND EMERGENCY MEDICAL SERVICE AREA

16.20.010. Boundaries.

There is established a service area within the borough designated as the "Greater Kachemak Volunteer Fire and Emergency Medical Service Area," in that portion of the borough described as all the following referenced to the Seward Meridian, Alaska:

Beginning at the north 1/16 line of section 35, T5S, R15W, and the mean high water line on the westerly shore of Cook Inlet;

Thence Easterly along the 1/16 line to the north 1/16 corner common to section 32 and 33, T5S, R14W;

Thence north along the section line to the intersection of the thread of Anchor River;

Thence easterly along the thread of Anchor River to the point of intersection with the line common to section 36, T4S, R12W and section 31, T4S, R11W;

Thence north to the Northwest corner of T4S, R11W;

Thence east along the township line to the section corner common to section 35 and 36, T3S, R11W, and section 1 and 2, T4S, R11W;

Thence north to the section corner common to section 1, 2, 11, and 12, T3S, R11W;

Thence east to the section corner common to section 5, 6, 7, and 8, T3S, R9W;

Thence south to the section corner common to section 19, 20, 29, and 30, T3S, R9W;

Thence southeasterly on a projected line toward the section corner common to section 28, 29, 32 and 33, T3S, R9W to the thread of the Fox River;

Thence southwesterly along the thread of the Fox River to the Mean High Water Line of the Kachemak Bay;

Thence southwesterly along the Mean High Water Line also being the north shore of Kachemak Bay to intersection of T6S, R12W, and T6S, R13W also being Kachemak City east boundary;

Thence north along the Kachemak City boundary to the south 1/16 corner common to section 1, T6S, R13W, and section 6, T6S, R12W;

Thence west along the Kachemak City boundary to the south 1/16 corner common to section 1, and 2, T6S, R13W;

Thence south along the Kachemak City boundary to the section corner common to section 1, 2, 11, and 12, T6S, R13W;

Thence west along the Kachemak City boundary to the section corner common to section 2, 3, 10, and 11, T6S, R13W;

Thence south along the Kachemak City boundary to the ¼ corner common to section 10 and 11, T6S, R13W;

Thence west along the Kachemak City boundary to the Center ¼ corner of section 10, T6S, R13W;

Thence south along the Kachemak City boundary to the ¼ corner common to section 10 and 15, T6S, R13W also being the north boundary City of Homer;

Thence west along the City of Homer boundary to the section corner common to section 7, 8, 17, and 18; T6S, R13W

Thence south along the City of Homer boundary to the ¼ corner common to section 17 and 18, T6S, R13W;

Thence west along the City of Homer boundary to the ¼ corner common to section 14 and 15, T6S, R14W;

Thence south along the section line to the intersection of the Mean High Water Line of Cook Inlet;

Thence Northwesterly along the Mean High Water Line and the Cook to intersection of the north 1/16 line of section 35, T5S, R15W, the point of beginning.

16.20.020. Mill levy.

No mill levy in excess of 1.75 mills shall be levied on behalf of the service area unless an increase is approved by a majority vote of the voters at an election within the service area.

16.20.030. Board of directors.

There is established a board of directors for oversight of the operations of the Greater Kachemak Volunteer Fire and Emergency Medical Service Area composed of five members who, except as provided below, shall be elected by the qualified voters of the service area in

the manner provided in the borough election code and KPB 16.04.065 as now enacted or may be hereinafter amended. Notwithstanding the provisions of KPB 16.04.060, the first board shall be appointed by the Mayor and confirmed by the Assembly for one year terms.

16.20.040. Board--Meetings--Quorum.

The board shall meet periodically at a regularly scheduled time and place designated by the board. Special meetings of the board may be called by the chair of the board or by any two members upon one day's notice thereof published in a newspaper or via radio having general distribution within the service area. The notice shall set forth the time and place of the meeting and shall be mailed or telephoned to each board member. All meetings shall be open to the public as provided by law. Three board members shall constitute a quorum; however, an action shall require the affirmative vote of three board members.

16.20.050. Board--Election of officers.

At the first regular meeting following certification of the election by the assembly, and annually thereafter, the board shall elect by majority vote of the board members, and from the board members, a chairman and such other officers as the board shall determine to be desirable who shall hold office until successors are elected.

16.20.060. Board--Terms of office.

Each member of the board of directors shall be elected for a term of three years and shall serve thereafter until his or her successor has been elected, qualified and sworn to assume the duties of the office, except that the first elected board shall contain members elected for lesser periods as designated in the documents setting up the election to provide for staggered terms.

16.20.070. Board--Vacancies--Created when.

Vacancies on the board are created upon declaration of vacancy by the board if a member:

- A. Fails to qualify or take office within 30 days after his or her election or appointment;
- B. Is physically absent from the service area for a 90-day period, unless excused by the board;
- C. Changes his or her residency for a period longer than 60 days to a location outside of the jurisdiction from which the board is elected;
- D. Resigns and his or her resignation is accepted;
- E. Is physically or mentally unable to perform the duties of his or her office;
- F. Misses three consecutive regular meetings unless excused; or
- G. Is convicted of a felony or of an offense involving a violation of his or her oath of office.

16.20.080. Board--Vacancies--Filling.

Vacancies on the board shall be filled by majority vote of the remaining board until the next general election of the borough at which time a new member shall be elected to fill the unexpired term or for a three-year term if no unexpired term remains.

16.20.090. Board--Powers and duties.

Pursuant to the provisions of AS 29.35.460 the board of directors of the service area, subject to KPB 16.04.001 and assembly approval and appropriation of funds, shall have the power to supervise the furnishing of fire and emergency medical services within the Greater Kachemak Volunteer Fire and Emergency Medical Service Area and shall promptly provide accurate and complete copies of minutes of all board meetings to the mayor and assembly. Subject to assembly approval, the board shall be responsible for developing, implementing, and updating a plan for furnishing fire and emergency medical services.

16.20.100. Personnel system--Rules and regulations.

Unless specifically provided otherwise, the borough personnel system and Title 3 of the Kenai Peninsula Borough Code of Ordinances apply to the personnel employed by the Greater Kachemak Volunteer Fire and Emergency Medical Service Area.

16.20.110. Employee conduct requirements.

Employees of the Greater Kachemak Volunteer Fire and Emergency Medical Service Area are employees of the borough, and as such, are required at all times to conduct themselves in an exemplary manner befitting the public service in which they are employed.

16.20.120. Budget and fiscal control.

The formulation of a budget and fiscal control of expenditures of public monies of the Greater Kachemak Volunteer Fire and Emergency Medical Service Area are under the supervision and direction of the mayor and the assembly. The Finance Director of the Borough shall provide the board with the rules and regulations governing the appropriation of funds, the budgeting of funds, the authorization of expenditures, and any and all rules and regulations of the borough fiscal policy to which the service area is subject. The board shall arrange for the preparation of a budget and capital program which shall be submitted to the mayor for approval. The budget and capital expenditure proposals shall be subject to the procedures for adopting the borough budget and capital expenditures program and its consideration by the assembly. Such public hearings as are necessary shall be a part of the budgetary procedures before the board and the assembly.

16.20.130. Officers--Appointment, qualifications and removal.

The mayor, after considering the recommendation of the board, may appoint such administrative officers as the mayor deems necessary. These officers shall be subject to removal by the mayor as provided for administrative personnel in KPB 3.04.070. To the extent feasible, the mayor shall consider the recommendation of the service area board prior to such removal. The administrative officers shall administer policy as set by the board with the concurrence of the mayor.

16.20.140. Chief administrative officers--Accountability.

Administrative officers of the service area shall be held accountable to the mayor and the board only, and they shall make written and verbal reports to the mayor and the board as required by the mayor and the board. All other service area employees below the staff level shall be accountable to such administrative officers as are designated by the mayor and the board.

16.20.150. Policies--Formulation and authority--Approval required.

The board, or its designee, shall formulate policies to govern the operation of the service area departments, and shall be responsible to the mayor for the personnel, morale, and general efficiency of the department. Prior to implementation, such policies shall be approved by the assembly by resolution.

16.20.160. Annual reports required.

The board shall make a complete annual report to the mayor within one month after the close of the fiscal year, such report to include the information specified by the rules and regulations of the borough, together with comparative data for previous years and recommendations for improving the service to the service area.

16.20.170. Procedure--Conduct of affairs--Meetings.

The board shall adopt bylaws or regulations governing the conduct of its affairs so long as such bylaws are procedural in nature and do not conflict with the substantive rules and regulations governing the board in its delegated powers. The board shall adopt rules of procedure for the conduct of its meetings so long as such rules of procedure are not in conflict with rules and regulations governing the operations of the board.

16.20.180. Purchasing--Agent.

- A. The purchasing agent for the service area is the Borough Finance Director. All purchases of supplies, materials, equipment, and contractual services shall be made in accordance with the rules and regulations adopted by the assembly.
- B. All contracts for capital improvements and maintenance performed in connection with the service area shall be bid and administered by the Borough Public Works Department in accordance with the department's normal procedure for letting of contracts.

16.20.190. Accounts--Vouchers--Accounting.

All accounting functions for the service area shall be under the supervision of the Borough Finance Director who shall provide rules, regulations, and procedures governing the issuance and payment of vouchers, the issuance and payment of checks, the use of the central treasury of the borough, and the manner in which all bonds, contracts, leases or other obligations requiring the payment of funds from the appropriations in the service area budget are to be processed and administered.

16.20.200. Fiscal procedures.

The service area shall abide by the fiscal policies and procedures applicable to the borough general government budget.

SECTION 2. That the following proposition shall be placed before the voters of the Greater Kachemak Volunteer Fire and Emergency Medical Service Area at the next regular election to be held October 3, 2000:

PROPOSITION:

"Do you approve the exercise of powers necessary to provide fire protection and emergency medical services within the Greater Kachemak Volunteer Fire and Emergency Medical Service Area established by Kenai Peninsula Borough Ordinance 2000-29?"

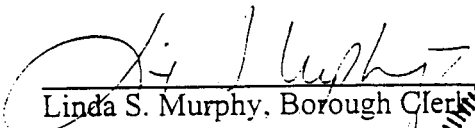
YES _____ NO _____

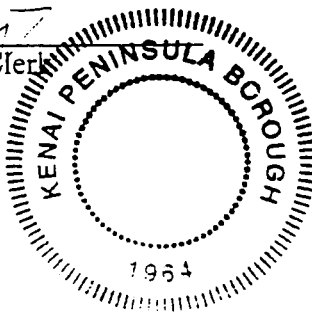
SECTION 3. That Sections 2 and 3 of this ordinance take effect immediately upon enactment of this ordinance. Section 1 shall take effect upon approval of the proposition in Section 2 by the majority of voters in the service area voting on the proposition at the regular borough election to be held on October 3, 2000, and upon the date the October 3, 2000, election is certified by the borough assembly or the date the U.S. Department of Justice issues its nonobjection to preclearance, whichever is later. If the U.S. Department of Justice does not issue a nonobjection to preclearance, the effective date shall be 60 days from the date of receipt of the ballot proposition for preclearance by the U.S. Department of Justice or the date of the certification of the election results, whichever is later. If an objection is imposed by the U.S. Department of Justice, the ordinance shall not be effective until the objection is resolved.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 15TH DAY OF AUGUST, 2000.


William Popp, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



To: William Popp, Assembly President
Members of the Kenai Peninsula Borough Assembly

Thru: Dale Bagley, Borough Mayor

From: Ed Oberts, Assistant to Mayor Bagley

Date: May 21, 2004

Ordinance 2000-29 creating the proposed service area is in response to the citizen's petition that the Borough Clerks office certified on May 1, 2000. The petition contained 216 valid signatures representing 29.5% of the voter turnout in the October 1999 Kenai Peninsula Borough Regular Election.

The mayor's report to the assembly on the proposed service area was then prepared and submitted to the assembly at the June 6th meeting. The mayors report on the proposed service area outlined the options to the assembly and indicated creating a new service area subject to voter approval would follow the general philosophy which has governed the formation of service areas throughout the borough.

On June 28, 2000 the assembly conducted a public hearing on the proposed service area as required by borough code under the petition method of forming new service areas. The public testimony indicated continued support for forming the service area with a 1 to 2 mill tax rate. Discussions included the boundaries of the service area and how to provide services including possibly working with the City of Homer Fire Department.

Based on the public testimony the petition sponsors with the assistance of the mayor's office and the borough finance department intend to provide financial information at the July 18th assembly meeting.

The ordinance for introduction uses the boundaries as submitted with the petition and includes a maximum mill rate of 1.75 Mills. The ordinance requires the elected board to submit a plan for approval to assembly on how services will be provided in the service area in addition to the budget.

The ordinance creates the service area subject to voter approval and authorizes a special by mail election asking for voter approval to exercise the powers and simultaneously elect the service area board. Current borough code requires the simultaneous election for both the service area powers and the service area board members.

Ex. J, p. 8

Introduced by: Popp at the request of the
Borough Clerk
Date: 10/10/00
Action: Adopted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
RESOLUTION 2000-092**

**A RESOLUTION CERTIFYING THE RESULTS OF THE
OCTOBER 3, 2000 REGULAR BOROUGH ELECTION**

WHEREAS, the Canvass Board of the Kenai Peninsula Borough met on October 10, 2000, and tallied the votes of Questioned and Absentee ballots and the ballots cast by voters in the by-mail precincts together with votes counted on election night; and

WHEREAS, the precinct tallies as recorded by the Canvass Board are as follows:

ASSEMBLY DISTRICT 1
(3-year term)
POPP, William (Bill) 479
Write-Ins 54

ASSEMBLY DISTRICT 6
(3-year term)
LONG, Ronald (Ron) 469
HALL, Matt 340
Write-Ins 5

ASSEMBLY DISTRICT 9
(3-year term)
MARTIN, Mildred (Milli) 560
KEENE, Brentley D 182
CHMIELOWIEC, Stephen 139
Write-Ins 7

BOARD OF EDUCATION
(Seat D, 3-year term)
POINDEXTER, Al. 2517
LARNED, Susan F 2473
OWEN, Faron 714
Write-Ins 51

BOARD OF EDUCATION
(Seat E, 3-year term)
DYSON, Gene 1821
ARNESS, Joe 3863
Write-Ins 53

**CENTRAL PENINSULA HOSPITAL
SERVICE AREA**
(Seat E, 3-year term)
JELSMA, Susan 2641
Write-Ins 48

NIKISKI FIRE SERVICE AREA
(Seat F, 3-year term)
GERHAUSER, Stan 477
Write-Ins 15

NIKISKI FIRE SERVICE AREA
(Seat G, 3-year term)
OLIVA, Louis F 498
Write-Ins 11

NIKISKI SENIOR SERVICE AREA
(Seat A, 3-year term)
ANDERSON, Denise G. 273
KROGSENG, Ann E. 168
Write-Ins 11

Ex. K

NORTH PENINSULA RECREATION
SERVICE AREA

(Seat B, 1-year term)

GERHAUSER, Stan. 221
LORENZO, Paul P. 297
Write-Ins 5

NORTH PENINSULA RECREATION
SERVICE AREA

(Seat C, 3-year term)

MYSING, Peter F. 463
Write-Ins 17

NORTH PENINSULA RECREATION
SERVICE AREA

(Seat D, 3-year term)

JONES, Beth Ann. 464
Write-Ins 17

JOINT OPERATIONS BOARD FOR THE
CENTRAL PENINSULA EMERGENCY
MEDICAL SERVICE
AND CENTRAL EMERGENCY
SERVICE AREA

(Seat A, 1-year term)

PENNINGTON, Robin E. 1479
Write-Ins 21

JOINT OPERATIONS BOARD FOR THE
CENTRAL PENINSULA EMERGENCY
MEDICAL SERVICE
AND CENTRAL EMERGENCY
SERVICE AREA

(Seat D, 3-year term)

CHAMBERS, James E. (Jim) 1481
Write-Ins 18

ANCHOR POINT FIRE SERVICE AREA

(Seat A, 2-year term)

TRACY, Joe 180
RODERICK, Paul E. 117
Other Write-Ins 7

ANCHOR POINT FIRE SERVICE AREA

(Seat C, 3-year term)

PASTRO, Jim. 191
FRANK, Rocky H.. 102
Write-Ins 5

ANCHOR POINT FIRE SERVICE AREA

(Seat D, 3-year term)

CRAIG, Robert W.. 264
Write-Ins 24

SOUTH PENINSULA HOSPITAL
SERVICE AREA

(Seat A, 3-year term)

WOODWORTH, Julie 1530
Write-Ins 31

SOUTH PENINSULA HOSPITAL
SERVICE AREA

(Seat B, 3-year term)

BECHTOL, Eileen R. 1565
Write-Ins 74

SOUTH PENINSULA HOSPITAL
SERVICE AREA

(Seat C, 3-year term)

MC RAE, Larry W. 1461
Write-Ins 33

PROPOSITION NO. 1

(School Bond Proposition)

YES 4436
NO 1969

PROPOSITION NO. 2

(Greater Kachemak Volunteer Fire and
Emergency Service Area)

YES 614
NO 157

PROPOSITION NO. 3

(Road Construction Powers)

YES 1890
NO 1717

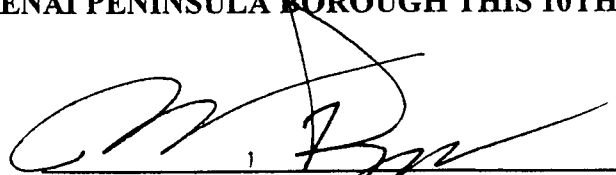
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

- SECTION 1.** That in Assembly District 1, Bill Popp was elected to a 3-year term, having received the greatest number of votes cast.
- SECTION 2.** That in Assembly District 6, Ron Long was elected to a 3-year term, having received the greatest number of votes cast.
- SECTION 3.** That in Assembly District 9, Milli Martin was elected to a 3-year term, having received the greatest number of votes cast.
- SECTION 4.** That in the borough-wide election for School Board, the following were elected to 3-year terms, having received the greatest number of votes cast:
Seat D - Al Poindexter
Seat E - Joe Arness
- SECTION 5.** That in the Anchor Point Fire and Emergency Service Area, Seat A, Joe Tracy was elected to a 2-year term, having received the greatest number of votes cast.
- SECTION 6.** That in the Anchor Point Fire and Emergency Service Area, the following were elected to 3-year terms, having received the greatest number of votes cast:
Seat C - Jim Pastro
Seat D - Robert W. Craig
- SECTION 7.** That in the Joint Operations Board for the Central Peninsula Emergency Medical Service Area and Central Emergency Service Area, Seat A, Robin E. Pennington was elected to a 1-year term, having received the greatest number of votes cast.
- SECTION 8.** That in the Joint Operations Board for the Central Peninsula Emergency Medical Service Area and Central Emergency Service Area, Seat D, James E. Chambers was elected to a 3-year term, having received the greatest number of votes cast.
- SECTION 9.** That in the Nikiski Fire Service Area, the following were elected to 3-year terms, having received the greatest number of votes cast:
Seat F - Stan Gerhauser
Seat G - Louis F. Oliva
- SECTION 10.** That in the Nikiski Senior Service Area, Seat A, Denise G. Anderson was elected to a 3-year term, having received the greatest number of votes cast.

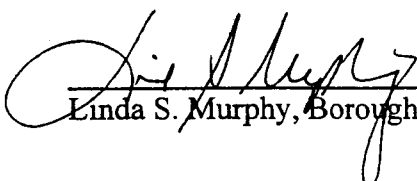
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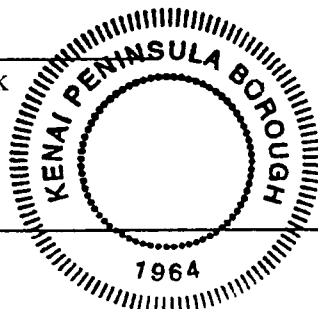
- SECTION 10.** That in the North Peninsula Recreation Service Area, the following were elected to 3-year terms, having received the greatest number of votes cast:
Seat C - Peter F. Mysing
Seat D - Beth Ann Jones
- SECTION 11.** That in the North Peninsula Recreation Service Area, Seat B, Paul P. Lorenzo was elected to a 1-year term, having received the greatest number of votes cast.
- SECTION 12.** That in the South Peninsula Hospital Service Area, the following were elected to 3-year terms, having received the greatest number of votes cast:
Seat A - Julie Woodworth
Seat B - Eileen Bechtol
Seat C - Larry W. McRae
- SECTION 13.** That in the Central Peninsula Hospital Service Area, Seat E, Susan Jelsma was elected to a 3-year term, having received the greatest number of votes cast.
- SECTION 14.** That Proposition No. 1, issuing general obligation bonds for educational capital improvements, was approved by the voters of the borough.
- SECTION 15.** That Proposition No. 2, establishing the Greater Kachemak Volunteer Fire and Emergency Medical Service Area, was approved by the voters of the service area.
- SECTION 16.** That Proposition No. 3, adopting road construction powers, was approved by the voters of the service area.
- SECTION 17.** That this resolution takes effect immediately upon its adoption.

ADOPTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 10TH DAY OF OCTOBER, 2000.


William Popp, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



Introduced by:	Martin, Moss, Brown
Date:	01/09/01
Shortened Hearing:	01/23/01
Action:	Enacted
Vote:	9 Yes, 0 No

**KENAI PENINSULA BOROUGH
ORDINANCE 2000-19-21**

**AN ORDINANCE AUTHORIZING A \$10,000 INTERGOVERNMENTAL LOAN AND
APPROPRIATING FUNDS TO THE GREATER KACHEMAK VOLUNTEER FIRE &
EMERGENCY MEDICAL SERVICE AREA TO ASSIST WITH START-UP COSTS
AND TO CHANGE THE NAME OF THE SERVICE AREA**

WHEREAS, the Greater Kachemak Volunteer Fire & Emergency Medical Service Area (Service Area) was established by voter approval October 10, 2000; and

WHEREAS, the Service Area will start operations with the Fiscal Year 2002 beginning July 1, 2001; and

WHEREAS, the Service Area will incur various start-up costs prior to July 1, 2001 in order that it may provide fire and emergency medical services effective with start of Fiscal Year 2002; and

WHEREAS, the administration has agreed to provide the Service Area a \$10,000 inter-governmental loan to cover these start-up costs, subject to assembly approval; and

WHEREAS, the present name for this service area is long and cumbersome, and the service area board voted unanimously at its January 4, 2001 meeting to recommend that the assembly amend the name to "Kachemak Emergency Service Area" and authorize the \$10,000 intergovernmental loan;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That a \$10,000 inter-governmental loan is authorized for the Service Area and shall be accounted for in the General Fund account number 100.00000.00000.14120.

SECTION 2. The Service Area shall pay interest on the loan at an annual rate of 6.4% on the outstanding balance computed monthly and that the loan is due in full by October 31, 2001.

SECTION 3. That Fund 212 shall be established to account for activity of the Service Area.

Ex. L

SECTION 4. That \$10,000 shall be appropriated to the Service Area account number 212.51710.00000.49999 for start-up cost.

SECTION 5. That the title of Chapter 16.20 of the Kenai Peninsula Borough Code of Ordinances be amended as follows:

CHAPTER 16.20. [GREATER] KACHEMAK [VOLUNTEER FIRE AND] EMERGENCY [MEDICAL] SERVICE AREA

SECTION 6. That KPB 16.20.010 shall be amended as follows:

16.20.010. Boundaries.

There is established a service area within the borough designated as the “[GREATER] Kachemak [VOLUNTEER FIRE AND] Emergency [MEDICAL] Service Area” in that portion of the borough described as all the following referenced to the Seward Meridian, Alaska:

Beginning at the north 1/16 line of section 35, T5S, R15W, and the mean high water line on the westerly shore of Cook Inlet;

Thence Easterly along the 1/16 line to the north 1/16 corner common to section 32 and 33, T5S, R14W;

Thence north along the section line to the intersection of the thread of Anchor River;

Thence easterly along the thread of Anchor River to the point of intersection with the line common to section 36, T4S, R12W and section 31, T4S, R11W;

Thence north to the Northwest corner of T4S, R11W;

Thence east along the township line to the section corner common to section 35 and 36, T3S, R11W, and section 1 and 2, T4S, R11W;

Thence north to the section corner common to section 1, 2, 11, and 12, T3S, R11W;

Thence east to the section corner common to section 5, 6, 7, and 8, T3S, R9W;

Thence south to the section corner common to section 19, 20, 29, and 30, T3S, R9W;

Thence southeasterly on a projected line toward the section corner common to section 28, 29, 32 and 33, T3S, R9W to the thread of the Fox River;

Thence southwesterly along the thread of the Fox River to the Mean High Water

Line of the Kachemak Bay;

Thence southwesterly along the Mean High Water Line also being the north shore of Kachemak Bay to intersection of T6S, R12W, and T6S, R13W also being Kachemak City east boundary;

Thence north along the Kachemak City boundary to the south 1/16 corner common to section 1, T6S, R13W, and section 6, T6S, R12W;

Thence west along the Kachemak City boundary to the south 1/16 corner common to section 1, and 2, T6S, R13W;

Thence south along the Kachemak City boundary to the section corner common to section 1, 2, 11, and 12, T6S, R13W;

Thence west along the Kachemak City boundary to the section corner common to section 2, 3, 10, and 11, T6S, R13W;

Thence south along the Kachemak City boundary to the 1/4 corner common to section 10 and 11, T6S, R13W;

Thence west along the Kachemak City boundary to the Center 1/4 corner of section 10, T6S, R13W;

Thence south along the Kachemak City boundary to the 1/4 corner common to section 10 and 15, T6S, R13W also being the north boundary City of Homer;

Thence west along the City of Homer boundary to the section corner common to section 7, 8, 17, and 18, T6S, R13W;

Thence south along the City of Homer boundary to the 1/4 corner common to section 17 and 18, T6S, R13W;

Thence west along the City of Homer boundary to the 1/4 corner common to section 14 and 15, T6S, R14W;

Thence south along the section line to the intersection of the Mean High Water Line of Cook Inlet;

Thence Northwesterly along the Mean High Water Line and the Cook to intersection of the north 1/16 line of section 35, T5S, R15W, the point of beginning.

SECTION 7. That KPB 16.20.030 shall be amended as follows:

16.20.030. Board of Directors.

There is established a board of directors for oversight of the operations of the [GREATER] Kachemak [VOLUNTEER FIRE AND] Emergency [MEDICAL] Service Area composed of five members who, except as provided below, shall be elected by the qualified voters of the service area in the manner provided in the borough election code and KPB 16.04.065 as now enacted or may be hereinafter amended. Notwithstanding the provisions of KPB 16.04.060, the first board shall be appointed by the mayor and confirmed by the assembly for one year terms.

SECTION 8. That KPB 16.20.090 shall be amended as follows:

16.20.090. Board—Powers and duties.

Pursuant to the provisions of AS 29.35.460 the board of directors of the service area, subject to KPB 16.04.001 and assembly approval and appropriation of funds, shall have the power to supervise the furnishing of fire and emergency medical services within the [GREATER] Kachemak [VOLUNTEER FIRE AND] Emergency [MEDICAL] Service Area and shall promptly provide accurate and complete copies of minutes of all board meetings to the mayor and assembly. Subject to assembly approval, the board shall be responsible for developing, implementing, and updating a plan for furnishing fire and emergency medical services.

SECTION 9. That KPB 16.20.100 shall be amended as follows:

16.20.100. Personnel system—Rules and regulations.

Unless specifically provided otherwise, the borough personnel system and Title 3 of the Kenai Peninsula Borough Code of Ordinances apply to the personnel employed by the [GREATER] Kachemak [VOLUNTEER FIRE AND] Emergency [MEDICAL] Service Area.

SECTION 10. That KPB 16.20.110 shall be amended as follows:

16.20.110. Employee conduct requirements.

Employees of the [GREATER] Kachemak [VOLUNTEER FIRE AND] Emergency [MEDICAL] Service Area are employees of the borough, and as such, are required at all times to conduct themselves in an exemplary manner befitting the public service in which they are employed.

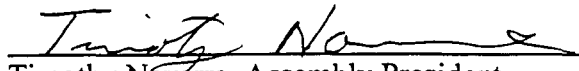
SECTION 11. That KPB 16.20.120 shall be amended as follows:

16.20.120. Budget and fiscal control.

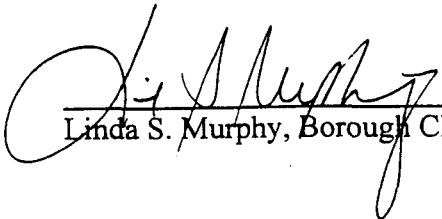
The formulation of a budget and fiscal control of expenditures of public monies of the [GREATER] Kachemak [VOLUNTEER FIRE AND] Emergency [MEDICAL] Service Area are under the supervision and direction of the mayor and the assembly. The finance director of the borough shall provide the board with the rules and regulations governing the appropriation of funds, the budgeting of funds, the authorization of expenditures, and any and all rules and regulations of the borough fiscal policy to which the service area is subject. The board shall arrange for the preparation of a budget and capital program which shall be submitted to the mayor for approval. The budget and capital expenditure proposals shall be subject to the procedures for adopting the borough budget and capital expenditures program and its consideration by the assembly. Such public hearings as are necessary shall be a part of the budgetary procedures before the board and the assembly.

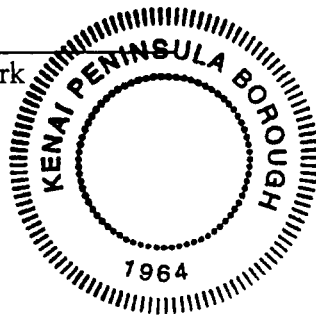
SECTION 12. That this ordinance takes effect immediately upon its enactment.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 23RD DAY OF JANUARY, 2001.


Timothy Navarre, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



Greater Kachemak Volunteer Fire and Emergency Medical Service Area

Approved Minutes

Thursday, November 30, 2000

7 p.m.

Borough Annex Building
206 E Pioneer Avenue, Homer

1. The meeting was called to order by Scott Cunningham at 7 p.m.
2. Roll Call
Present: Scott Cunningham, Pat Johnson, Dennis Oakland, Mary Griswold
Absent: Leroy Krumm (excused)

3. Public Comments

Scott Cunningham opened the discussion with introductions and request for public input about what services residents desired and how they thought they could be best provided. 6 people offered comments and answered questions from the board.

Lloyd Schade (35250 Schade Drive, Homer) described volunteer department activity in Missouri and shared a handout of a pilot program to help fire departments upgrade their fire fighting effectiveness. He described his efforts to be prepared: he has a 25,000 gallon tank he will bury by the road and is setting up a quick response unit. He doesn't think Homer can serve residents as far out East Road as he is (15 mile). He has saved his farm from several fires over the last 40 years. He does not favor a contract with the city. People living far out road accept lower level of service.

Gary Mayforth (P.O. Box 3514, Homer) expressed his concern about where we are going to get water for far out East End Road, proposing that the head of the bay may be a good source to serve from that end west instead of hauling from town. We should avoid the problems Soldotna had before becoming a unified service area. We must figure out how to grow into an effective community wide service. Higher population density areas may have greater need for service.

Abby Fuller (P.O. Box 2845, Homer) said it makes sense to contract with the city of Homer.

Gary Thomas (P.O. Box 2486, Homer) suggested that it may make sense to separate EMS from fire suppression in contracts for service, especially since the borough is looking at borough wide EMS which the borough would fund separately. He also suggested our doing a needs assessment by the service area residents through a survey, door-to-door, or phone calls. When we know what people want, then we can design service. The board should maintain its own identity, not merely be a pass through to the city, but a contract would be good to avoid duplication of infrastructure. City may not provide all services to service area. We can define who provides what. It is important that volunteers move freely across political boundary lines. USDA may have grant money available. The plan is a bigger challenge than funding. A big question will be under whose authority volunteers run equipment: HVFD rules or service area rules. Having equipment and garage is a good bargaining chip if negotiating with city, as Kachemak City provides. Negotiating a contract is time consuming. Talk to Phil Morris about how Kachemak City did it; it took about 6 months.

Ex. M

Pete Roberts (P.O. Box 1134, Homer) said we should look at all options without bias before making a decision on service plan. Don't split up volunteers. He favors a contract with city, but not to rush into it without looking at all options. Contract for about 1 mill to leave money for equipment. He suggests neighborhood meetings at McNeil, Diamond Ridge. Kachemak City community center is available for larger meetings. City has said they will continue service while we work out a plan. Nikiski and CES may lend us money for equipment because they have surplus funds. Mike Fastabend and the Firewise program will be helpful.

John Phillips (32115 Williams Street, Anchor Point) presented his idea for water tank storage. CES is a good model for us to look at. Look for 5 mile radius of department infrastructure for improved ISO ratings. Training is very important and expensive. We could advertise for training to see what volunteer interest is.

In response to reporter Hal Spence's question about forward funding, Mary Griswold said that Finance Director Jeff Sinz told her that the borough was reluctant to fund a contract for service before the beginning of the new fiscal year July 1st. Scott Cunningham said the borough would be more willing to forward fund equipment because payment could be made after or closer to July 1.

Milli Martin (no signup info) recommended we talk to CES and Nikiski departments.

Scott Cunningham noted that people have told him they want faster response. We must first identify needs and then plan for best way to provide the service.

4. New Business

Oakland/Griswold moved to select Scott Cunningham as chair. Unanimous.
Oakland/Cunningham moved to select Pat Johnson as vice chair. Unanimous.
Oakland/Cunningham moved to select Mary Griswold as secretary. Unanimous.

Cunningham/Johnson moved to ask CES and Nikiski administrative officers to speak to us at an upcoming meeting. Unanimous. Cunningham will call them.

5. Announcements

Anchor Point Fire Service Area board will meet on Tuesday, December 19th at the Anchor Point Fire Department.

6. Our next meeting will be Thursday, December 7th at 7 p.m. at the borough annex in Homer.

7. The meeting was adjourned at 8:25 p.m.

Submitted by Mary Griswold
Approved December 7, 2000

Chair

EX. M

Kachemak Emergency Service Area (KESA)
Board Meeting
Approved Minutes

7 p.m., Thursday, June 28, 2001
Borough Office Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by vice-chair Pat Johnson
2. Roll call:
Present: Dennis Oakland, Pat Johnson, Lee Krumm, Mary Griswold. Scott Cunningham joined meeting by teleconference during 7A.
Absent: none
Also present: Jeff Sinz, Colette Thompson, Tim Navarre, Dan Gregory, and 4 public
3. Public comment: none
4. Correspondence: Southern Region EMS Council property management agreements for two ambulances.
5. Approval of agenda: Johnson/Oakland unanimous as presented
6. Approval of minutes of 6/14/01 meeting: Oakland/Krumm unanimous as presented
7. Unfinished business:
 - A. Homer contract proposal: Jeff Sinz summarized the meeting with the city on July 26th. In attendance were Sinz, Colette Thompson, CES Chief Len Malmquist, Nikiski Assistant Chief Dan Gregory, Scott Cunningham, Ron Drathman, City Finance Director Dean Baugh, City Attorney Gordon Tans, and HVFD Chief Bob Painter. City rebuffed borough's efforts to compromise on cost of contract to maintain existing service. At the conclusion of the meeting, the cost of contract would remain 65/35 split of HVFD budget for 6 months, with no administrative fee and HVFD to provide EMS inclusive of reimbursable billing. HVFD to agree to work toward future service improvements within both city and KESA. Borough representatives made it clear there was no better deal to be made with the city if we want a contract. Jeff stated that the administration recommends accepting the proposal. Len Malmquist recommended accepting the proposal in a memo. Dan Gregory did not want to tell us to accept or reject, but said the contract would buy us time to get equipment and see how things go to be in a good position to continue negotiations in January. Colette said that July 1 is a goal to establish service because the borough would be open to liability for service then because tax revenues are available with the new fiscal year. Discussion about indemnification, physicals, proposed HVFD budget increase in 2002, using our equipment, and interest in moving toward unified service area. Board agreed that we do not want to jeopardize the existing level of service and that our survey results confirm satisfaction with HVFD with desire for improved service.

Cunningham/Krumm to contract with the City of Homer for continued fire suppression and EMS as summarized in the memo of June 28, 2001, from Jeff Sinz and Colette Thompson to the KESA board members. YES: Cunningham, Krumm, Oakland, Griswold ABSTAIN: Johnson (conflict of interest)

B. Budget adjustments: The contract with the city leaves us \$90,908 to allocate in the first half of the year. Tentative budget recommendations:

\$15,000	first response EMS jump kits
8,000	equip two ambulances
5,000	match VFA grant for slip on units for pick up trucks
6,000	heated garage leases (6 months to be carried forward)
3,600	2 used AEDs
10,000	water tanks (3) delivery, site preparation
5,000	vehicle maintenance, repair, fuel
4,000	paint blazers
7,000	payment toward CAF brush truck (\$110,750 new / \$50,000 used)
3,000	travel (to inspect equipment)
1,000	office supplies, telephone
<u>1,000</u>	utilities (heat for blazers)
\$68,600	TOTAL (leaving remainder in fund balance)

Mary will run this by Jeff Sinz. Board will consider and approve KESA revised budget on July 5 in preparation for borough assembly work session on July 9 and ordinance introduction on July 10. KESA amended budget approval by borough assembly anticipated on August 7.

C. Job advertisement response/ next steps: Mary will write the 4 applicants to explain delay in hiring due to budget restraints and let them know they will receive first consideration when we are ready to hire.

D. Dispatch update: state forestry repeaters: postponed

E. Volunteer follow-up phone calls: form/update: postponed, but will contact those who expressed interest in siting equipment or stations.

F. Grants

Anchor Point ambulance acquisition/storage/paperwork: Pat to pick up soon now that approved by Southern Region EMS Council

Ninilchik ambulance storage/paperwork: postponed

FEPP blazers: Mary will contact Scott Christi and Ric Plate to expedite our request

Water tank cars: Mary will contact Scott Christi and Ric Plate to confirm our interest and intent to move them as soon as necessary

Special Olympics AEDs: Scott to arrange purchase of 2 for \$1800 ea.

Airforce surplus equipment DRMO: postponed

California contacts for surplus equipment and SCBA: Matt James, Brian Howard: postponed pending arrival of information

G. Larry Eardley land donation/ shop lease: Lee reported that the shop is on property adjacent to potential donation property and is for sale. We agreed that we do not want to put money into shop we may soon lose. We will concentrate on developing a McNeil site for present.

H. McNeil Canyon station sites: borough land, Brian Kelly, Brian Howard: road trip scheduled for next Thursday after convening at 7 p.m. at borough office to approve revised budget.

I. Logo design: postponed

J. Meeting procedures: postponed

K. Gamble Fritz Creek water supply: Mary will contact Gambles who are in town for a week.

8. New Business: none

9. Comments of the audience:

Abigail Fuller (P.O. Box 2845, Homer 99603) is concerned about the 2nd six months' expense increase projected for HVFD. If these expenses benefit KESA then OK, otherwise the contract percentage should be less.

Bill Morse (P.O. Box 15211, Fritz Creek 99603) noted that paid staff in Homer doesn't necessarily improve service to the outlying area. Improved first response capability is much more important. Jump kits and fire extinguishers are much more effective farther from town.

10. Board comments, announcements, future agenda items:

Borough assembly work session Monday, July 9, 5 p.m. at Kachemak Community Center (not borough office as earlier reported)

KPEMS meeting on July 13, 10 am-12:30 p.m. by teleconference. Sue Hecks asks us to confirm participation asap.

We agreed by consensus we would like Billy Harris to advise us on rural water supply and specifically water tanks. As soon as we get confirmation on receiving water tanks we will contact him.

We agreed by consensus that it will be very important to encourage volunteer training in January whether KESA goes independent or continues to contract. We need more trained personnel in the outlying areas.

11. Date and time of next meeting: Thursday, July 5, 7 p.m.

12. Adjournment: 9:40 p.m.

Approved July 5, 2001

Scott Cunningham, chair

INTERIM AGREEMENT FOR PROVISION OF FIRE AND EMERGENCY MEDICAL SERVICES

By this agreement the City of Homer and the Kenai Peninsula Borough ("KPB"), on behalf of the Kachemak Emergency Service Area ("KESA"), do hereby agree as follows:

WHEREAS, the City of Homer, through the Homer Volunteer Fire Department ("HVFD"), has provided all fire and emergency medical services to the area included in the KESA for approximately the last ten years, before which the City of Homer was the primary funding source for the department and paid all HVFD's administrative expenses; and

WHEREAS, the Kenai Peninsula Borough formed the Kachemak Emergency Service Area to provide fire and emergency medical services which was approved by the voters in the regular election of October 2000, and KPB, KESA, and the City of Homer have since negotiated terms by which the City of Homer would continue to provide fire and emergency medical services to the affected area at least on a temporary basis;

NOW, THEREFORE, for good and valuable consideration, including the covenants, conditions, and agreements hereinbelow, the parties do hereby agree as follows:

1. The City of Homer, through the HVFD will continue to provide the current level of fire and emergency medical services for a six-month period beginning July 1, 2001.
2. The City of Homer, through the HVFD, will charge for responses in the KESA the same fees for EMS as is charged for responses within Homer city limits. In the event the fee schedule is modified by the City of Homer for EMS the rates shall be the same for responses within the city and the service area.
3. The KPB through KESA will pay HVFD the sum of \$106,227.
4. HVFD agrees to work toward future service improvements within both the City of Homer and the KESA.
5. KESA may, at its option, have its equipment maintained by any party, provided the level of maintenance for equipment to be used by the HVFD is reasonably within HVFD standards. At the request of KESA, the City of Homer may maintain KESA vehicles. It is agreed that charges for such maintenance shall be in addition to the above-described contract cost and that charges shall be at the normal rate charged by the City of Homer for similar services.
6. The City of Homer will cause the KPB and KESA to be named as an additional insured on the City of Homer's comprehensive general liability insurance policy for acts performed pursuant to this contract. It is agreed that the insurance provided by the City of Homer will be primary with regard to claims arising out of such acts. KPB will name the City of Homer as an additional insured on its comprehensive general liability insurance policy for acts performed pursuant to this contract, which insurance will be

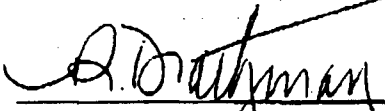
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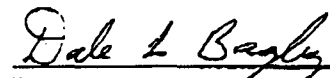
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excess to the City of Homer's primary insurance for claims arising out of such acts. KPB's liability for acts performed pursuant to this contract will not exceed the amount of KPB's liability insurance coverage. It is agreed and understood that this clause is further subject to approval by insurers, and that the parties shall modify this clause if necessary to accomplish the intents and purposes of this provision consistent with the insurer's reasonable requirements.

7. The City of Homer agrees to comply with all applicable laws and regulations governing the provision of fire and emergency medical services under this agreement.
8. This contract shall be effective July 1, 2001, subject to the appropriation and availability of funds, and approval, by the Kenai Peninsula Borough Assembly and approval of the City Council of the City of Homer.

DATED this 9th day of July 2001.


Ron Drathman, City Manager
City of Homer


Dale Bagley, Mayor
Kenai Peninsula Borough


Scott Cunningham, Chair
Kachemak Emergency Service
Area Board

ORIGINAL

**INTERIM AGREEMENT FOR PROVISION OF FIRE AND
EMERGENCY MEDICAL SERVICES**

By this agreement the City of Homer ("City of Homer"), and the Kenai Peninsula Borough ("KPB"), on behalf of the Kachemak Emergency Service Area ("KESA"), do hereby agree as follows:

WHEREAS, the Kenai Peninsula Borough formed the Kachemak Emergency Service Area to provide fire and emergency medical services in the service area; and

WHEREAS, prior to July 1, 2001, the City of Homer provided and funded all fire and emergency medical services to the area included in the KESA for approximately ten years, before which the City of Homer was the primary funding source for the Homer Volunteer Fire Department ("HVFD") and paid all HVFD administrative expenses; and

WHEREAS, KPB, KESA, and the City of Homer entered an interim agreement effective July 1, 2001, under which the City of Homer continued to provide fire and emergency medical services to the KESA for a six-month period ending December 31, 2001; and

WHEREAS, the parties to this agreement have negotiated a new six-month agreement in which the City of Homer will continue to provide fire and emergency medical services to the KESA.

NOW, THEREFORE, for good and valuable consideration, including the covenants, conditions, and agreements hereinbelow, the parties do hereby agree as follows:

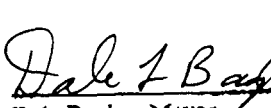
1. The City of Homer will continue to provide the current level of fire services and expanded emergency medical services, over that previously provided, for a six-month period beginning January 1, 2002, within the KESA boundaries.
2. The City of Homer will charge each recipient of EMS services for responses in the KESA the same fees for EMS as is charged for responses within Homer city limits. In the event the fee schedule is modified by the City of Homer for EMS, the rates shall be the same for responses within the city and KESA.
3. The KPB through KESA will pay the City of Homer the sum of \$119,829 for the fire and EMS services provided hereunder.
4. The City of Homer shall provide to KESA a "Monthly Fire Activity Report" and a monthly "Emergency Service Activity" report and a copy of each Run Log, including dispatch times, within 30 days of the end of each month.
5. The City of Homer and the KESA Board agree to work cooperatively toward future service improvements.

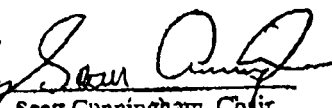
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6. The City of Homer agrees to use KESA acquired equipment to the extent the City of Homer and KESA agree is necessary and practical to maintain or improve the level of fire or emergency medical services in KESA, provided the equipment meets the performance and maintenance standards of the City of Homer.
7. KESA may, at its option, have its equipment maintained by any party, provided the level of maintenance for equipment to be used by the City of Homer is reasonably within the City of Homer standards. At the request of KESA, the City of Homer may maintain KESA vehicles. It is agreed that charges for such maintenance shall be in addition to the above-described contract cost and that charges shall be at the normal rate charged by the City of Homer for similar services.
8. The City of Homer will cause the KPB and KESA to be named as an additional insured on the City of Homer's comprehensive general liability insurance policy for acts performed pursuant to this contract. It is agreed that the insurance provided by the City of Homer will be primary with regard to claims arising out of such acts. KPB will name the City of Homer as an additional insured on its comprehensive general liability insurance policy for acts performed pursuant to this contract, which insurance will be excess to the City of Homer's primary insurance for claims arising out of such acts. KPB's liability for acts performed pursuant to this contract will not exceed the amount of KPB's liability insurance coverage.
9. The City of Homer agrees to comply with all applicable laws and regulations governing the provision of fire and emergency medical services under this agreement.
10. This contract shall be effective January 1, 2002, subject to the appropriation and availability of funds, and approval by the Kenai Peninsula Borough Assembly and approval of the City Council of the City of Homer.

DATED this 7th day of JANUARY 2001 2002.


Ron Drathman, City Manager
City of Homer


Dale Bagley, Mayor
Kenai Peninsula Borough


Scott Cunningham, Chair
Kachemak Emergency Service
Area Board

Kachemak Emergency Service Area (KES)
Board Meeting
Approved Minutes

Thursday, February 1, 2001
7 p.m.
Borough Annex Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by chair Scott Cunningham
2. Roll call:
Present: Scott Cunningham, Dennis Oakland, Pat Johnson (late), Mary Griswold
Absent: Leroy Krumm (excused)
Also present: 6 in audience
3. Public comment: none
4. Correspondence:
20 surveys received

Scott received a copy of Bagley's reply to Ron Drathman's letters of December 26, 2000 and January 8, 2001 indicating that the service area board is responsible for developing a plan for fire and EMS and has the authority to discuss and preliminarily negotiate this matter with the City of Homer, subject to borough approval. Bagley also noted that the service area is not yet operational and that the board is contemplating a contract with the city that would become effective on or after July 1, 2001, contingent on city interest and availability of funds.

Sue Hecks, coordinator for Kenai Peninsula subarea of the Southern Region EMS Council talked to Mary about EMS equipment sources, useful web sites, and meetings. When we know what EMS equipment we need, we can contact her for help to get it.

5. Approval of agenda: Griswold/Oakland Unanimous with additions of 7E and 8A.
6. Approval of minutes of previous meeting: Cunningham/Oakland Unanimous.
7. Unfinished business:
 - A. Status of federal grants: FEMA has not yet set criteria or released application; Mary has a collection of other grant sources provided by Sue Hecks and Drew Scalzi (to Lee).
 - B. Status of Needs Assessment Survey: approximately 300 received to date, a 25% return which all agreed was an excellent response. Mary will do a final tabulation.

C. Status of letter to city: Borough administration is very busy with prison project; Ed Oberts told Mary that they would try to get back to us by Tuesday, February 6th. Pat will ask that we be included for a presentation on Homer City Council agenda for February 12th.

Mary proposed amending the second paragraph as follows: We intend to promote a motivated, well-trained volunteer department and believe that both the City and our service area will be better served by a single force of volunteers under one supervisor and one set of procedures. ~~The emergency run statistics suggest that there is no pressing need to duplicate the expensive infrastructure necessary to be properly prepared for emergencies, so we anticipate that this contract will help offset the City's cost of maintaining its current personnel and equipment assets.~~ We anticipate that this contract will help offset the City's cost of maintaining its current personnel and equipment assets and allow KES to build upon the existing infrastructure to improve service to the outlying area. Approved by consensus.

D. Status of spruce bark grant application: Don Blackwell gave Mary an estimate of \$39,675 for a 35,000-gallon tank buried with a daylight drain. Steel tank weighs 27,500 pounds and costs \$27,500. It is made in Anchorage and requires 2-4 weeks lead time except 10 weeks in July or August. A liner for potable water costs \$3,500. \$9,000 to place and bury tank. A backhoe can lift 15,000 to 18,000 pounds so 2 should be sufficient. If not, a crane would cost additional. No decision was made to pursue grant funding.

E. Framework additions:

HB6 in state legislature would provide \$10,000 property tax exemption for fire and EMS volunteers. Keep an eye on this for volunteer incentive.

Chief Len Malmquist sent Mary an Excel spreadsheet of CES budget detail; he offered any help he can provide us. Mary will request other service area budget detail.

CES web site describes service area of 2,200 square miles and 22,000 residents served by 4 stations. Other helpful information included.

An equipment web site includes a Subaru Outback special service vehicle

8. New Business:

A. Full-service budget development: Whether or not we contact with the city, we will need additional equipment and buildings. Priority locations are out East End Road in vicinity of McNeil Canyon, Diamond Ridge near KGTL, and on Skyline by Wynn's corner or Tulin's property. If surplus ambulance is available, we could station in leased heated garage with snow removal for short-term as long as volunteers live near-by to take calls. Beefing up communications is important to overcome dead zones. We could provide training classes beyond McNeil and pay trainers (often done by volunteers). Beyond a contract with the city for personnel, we chose 2 options: paid administrative position with volunteer crew or paid staff like HVFD with volunteer crew. Further research is necessary to develop options and associated costs.

9. Comments of the audience:

Pete Roberts (P.O. Box 1134, Homer 99603) asked about size of first response vehicles and above ground water tanks and noted that the proposed volunteer tax exemption would amount to \$100 savings on 100,000 home, a good incentive that wouldn't be too hard on borough.

Lloyd Schade (35250 Schade Drive, Homer 99603) is interested in tax credits for fire prevention measures. He noted that a contract with the city gives them responsibility and liability. He is considering writing a letter of responsibility for city to sign if responding to a fire on his property. He asked what we have done to reduce insurance premiums.

10. Board comments, announcements, future agenda items:
Scott noted that improved response times and water sources should decrease insurance rates. We are compiling ISO rating requirements to help guide service.
Dennis will be gone next two weeks.
Milli Martin plans to attend our next meeting.
Kenai Peninsula EMS Council teleconferenced meeting on Friday, March 9th, 10 a.m.-noon. Anyone can attend, but can't be a member unless you provide service.
11. Date and time of next meeting: 7 p.m., Thursday, February 8, 2001
12. Adjournment: 8:55 p.m.

Approved February 8, 2001

Pat Johnson, vice chair

Kachemak Emergency Service Area (KES)
Board Meeting
Approved Minutes

Thursday, February 8, 2001

7 p.m.

Borough Annex Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by vice chair Pat Johnson
2. Roll call:
Present: Pat Johnson, Lee Krumm, Mary Griswold
Absent: Scott Cunningham, Dennis Oakland (both excused)
Also present: Borough assemblyman Milli Martin, 4 others
3. Public comment:
Lloyd Schade (35250 Schade Drive, Homer 99603) intended to film the meeting, but removed his camera after unanimous objection from the board and from Milli Martin. He briefly discussed the advantages of barricade gel over water in fighting fires, and expressed frustration over the slowness of getting service established. He doesn't want to wait until July. He wants to set up Eastland Volunteer Fire Department to fight wildfires east of Fritz Creek. He would like public funding and support from KES but does not want to operate under KES umbrella. He agreed to make a presentation to the board at next week's meeting under New Business.
4. Correspondence: none
5. Approval of agenda: Krumm/ Griswold Unanimous as presented
6. Approval of minutes of previous meeting: Krumm/Johnson Unanimous
7. Unfinished business:
 - A. Grants:
 - A.1. Milli Martin (P.O. Box 2652, Homer 99603) reported that assembly representatives are going to Washington DC in March to seek federal funding for borough projects. She will include our 4 legislative priorities and dry hydrants on her list. She explained that Voznesenka is expanding its water supply and she needs to know by February 20 if this is a funding priority for KES. She passed out information about their project for our consideration. We will discuss this at next week's meeting.
 - A.2. FEMA grant categories include fire prevention programs, training, vehicles, personal protective gear, fire fighting equipment, and wellness/fitness programs from which we may apply under two. By consensus we approved applying for fire fighting equipment and training when the application process opens.
 - A.3. Bark beetle funding: Pat will talk to McNeil School about feasibility of installing a tank on school grounds. We need to decide whether to install a tank or build storage under a fire station in the vicinity. We also need to choose locations along Diamond Ridge/Skyline.

B. Contract proposal to city: Pat delivered borough approved and signed contract proposal to Ron Drathman on Tuesday afternoon and met with him on Wednesday morning. Drathman raised questions about the proposal and objected to negotiating with Pat because he is a city employee. Concerns included liability of contract vs informal assistance, the effect of annexation on taxation by service area, inadequacy of 20% base contract to cover value of equipment owned by city, and start date. Pat explained that we are dealing with the present situation and that issues relating to annexation will be worked out in the future, that we intend to improve service to the outlying areas rather than continue existing current level and people will pay for it rather than burden city, and that the city's equipment inventory is necessary for the city's needs whether or not it serves a larger area. KES is acquiring additional equipment to meet needs in service area. Drathman expressed interest in Pat's mention of the now dissolved New Member Committee that helped volunteers through the training and orientation process at the fire department.

Gil Mayforth (did not sign in) objected to the volunteer overnight stipend, saying there were other ways to motivate volunteers and the city is responsible for that. He sees the stipend as moving toward paid staff, which he opposes.

C. 2002 Budget development: Craig Chapman recommended to Mary earlier today additions to our draft budget: \$4500 for office machines (\$2200 computer, \$1300 printer), \$2500 for communications (telephone installation and service). The overnight stipend is compensation which requires FICA and tax reporting. Insurance may be less than the \$10,000 we estimated. He took our equipment items out of the budget and said Jeff Sinz would talk to us about these next week. Jeff will also discuss how much money we can set aside for future equipment and what mil levy is appropriate. Craig asked for list of vendors we intend to use. We reviewed the list used by Homer Maintenance and added Eagle Eye Photo, Eagle Quality Center and Total Office Products. Mary will send to borough tomorrow.

Griswold/Krumm Unanimous to request purchase of a 4-drawer filing cabinet, file folders, paper, stamps, and toll phone cards. We will clarify with Jeff how to proceed with acquisition next week.

D. Needs Assessment Survey: 302 returned to date. Returns continue to support established trends. Mary will do final tabulation.

8. New Business:

A. ISO Ratings: We briefly reviewed the ISO rating material Pat recently brought from Bear Creek Fire Department. This material will be helpful when we locate fire stations.

9. Comments of the audience:

Lloyd Schade provided us two web sites barricade.com and alaskabarr.com for more information about his barricade gel.

10. Board comments, announcements, future agenda items:

Next week agenda items:

Borough finance director Jeff Sinz presentation about budget preparation, spending procedures, and reporting requirements

Voznesenka proposal

Lloyd Schade wildland fire department proposal

11. Date and time of next meeting: Thursday, February 15, 7 p.m.

12. Adjournment: 8:50 p.m.

Approved 2/15/01

Pat Johnson, vice chair

Kachemak Emergency Service Area (KES)
Board Meeting
Approved Minutes

6 p.m., Thursday, March 8, 2001
Borough Annex Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 6 p.m. by vice-chair Pat Johnson
2. Roll call:
Present: Pat Johnson, Lee Krumm, Mary Griswold
Absent: Dennis Oakland, Scott Cunningham (both excused)
Also present: Ric Plate, Fire Management Officer AK DNR, Division of Forestry;
4 public
3. Public comment:
Nazary Basargin (P.O. Box 3264, Homer 99603) is interested in equipment and buildings for Voznesenka. Following the presentation by Mary Griswold and Milli Martin to the school parent advisory committee, he submitted a proposal to Milli for federal funding for a 30 x 40 community building which could house fire equipment. There are about 70 homes and about 270 residents in Voznesenka, 150 residents in Kachemak Silo, and about 50 residents in Razdolna which is about 5 road miles from Voznesenka. He noted that the village safe water grant is moving forward and if successful could provide water for fire suppression outside the village.
Lloyd Schade (35250 Schade Drive, Homer 99603) gave us a video describing his fire suppression rigs. He hopes to have 4 quick attack trailer units ready by May 1 to serve Mile 9 to Mile 17 along East End Road. He will be putting 40-60 lots in his neighborhood up for sale soon. Pat asked about equipment compatibility with HVFD. He replied that he is using fire connections.
Vi Jerrel (P.O. Box 938, Homer 99603) noted that Doris Cabana has information about equipment she want to share with Pat Johnson.
4. Correspondence: none
5. Approval of agenda: Johnson/ Krumm unanimous
6. Approval of minutes of previous meeting (February 22, 2001): Johnson/Krumm unanimous
- 8.A. Ric Plate presentation was moved up on agenda so he could get home at reasonable hour. \$240 million of federal funding is available for wildland fire suppression in western states, some of which may come to Alaska for equipment and infrastructure.
Alaska state senator John Torgerson is interested in promoting a state-wide program for fixed water systems for fire suppression (motivated by Anchor Point fire department's request to the legislature for water tank in a building). Mary will contact Torgerson to encourage action.

Volunteer Fire Association grants are federal funds distributed to registered fire departments by the state division of forestry. Mary will contact the fire marshal office to discuss requirements. Up to \$5000 matching grant for radios, protective clothing, porta-tanks, etc. Grant applications will come out soon; money is distributed in June.

Federal Excess Property Program makes available equipment such as pickup trucks, tankers, military surplus equipment. The equipment remains federal property. We will submit a request for 2 pickups and 2 1-ton 4wd trucks with 200 gallon tanks. Nazary will write a needs description for Voznesenka for us to include in KES proposal.

Will Jasper, Funny River fire chief would like to share his experience setting up a new service. Mary will get his e-mail address and contact for future meeting presentation.

State forestry will have a retardant base (air tankers) at the Homer airport this summer and will have cooperative agreements with fire departments and BLM. Ray Jeffers (KPB office of emergency management) is trying to set up a borough wide long-term cooperating agreement to be combined with annual operating plans with each department listing available equipment and rental fees. The state has responsibility for wildland (not structural) fire suppression statewide (in and outside service areas). State takes over control of incident after local department initial response. Unified command may be established at state's discretion.

State will sponsor wildland interface fire fighting (red card) training in April, probably a Friday-Sunday class. State is interested in quick-fill site at Voznesenka with portable tanks set up elsewhere to be refilled by tanker.

7. Unfinished Business

A. City contract proposal update: Mary and Pat attended the council brown bag lunch meeting on February 26, but no chance to comment. Mary talked informally to Drathman, Cushing, and several council members after the meeting. The council agenda for 3/12/01 includes a motion for executive session regarding the fire service area. We decided by consensus to wait until our meeting on 3/15/01 to evaluate the city's reaction before moving toward independent service. Mary has job descriptions from CES and HVFD. (See 8D and 8E)

B. Framework additions

Marge Tillion equipment: Today, Pat met with Marge Tillion and Matt Schneyer who have 3/4 ton pickups with slip in water tanks she would like KES to consider contracting for standby and active service. Suggested \$20 for standby. State has agreement with them for active wildland fire suppression. State could contract with us, and we pay them if we held contract with them. Marge also questioned value of Subaru first response rigs in deep snow. We may be better served to buy equipment and provide gasoline stipend for volunteer-owned rigs.

Voznesenka Parent Advisory Committee meeting 2/26/01 report: Mary and assemblyman Milli Martin attended. Mary gave a short overview of KES. Voznesenka would like a brush truck stationed in village. Mary emphasized the importance of training to operate equipment and that equipment would be operated by KES or by HVFD through contract.

Kenai Peninsula Fire Chief's meeting 3/1/01 report: Mary and Pat attended on short notice. Len Malmquist gave us a tour of CES station before meeting. Chiefs meet the first

Thursday of each month for dinner. Discussed HB6 providing property tax relief for fire volunteers, code blue funding, fire standards council. A good resource for us.

Scalzi constituent meeting 3/05/01 report: Mary met with Scalzi when he was in Homer during legislative break. Funding for our requests is far from assured, but he will keep us in mind for state money distributed to districts.

8. New Business

A. Ric Plate, fire management officer, Division of Forestry: equipment, assistance (see above)

B. Expense approval procedures, especially travel and subsistence (meals): we need procedures for expense approval. Griswold/Krumm to approve reimbursement mileage and meals for sending one vehicle and as many board members as desire to attend monthly chiefs' meetings.

C. Request for expense reimbursement: Fire Chief's meeting travel and dinner: Griswold/Krumm to approve mileage and meal expenses for Mary and Pat to attend the 3/01/01 meeting which we found out about too late to request pre-approval.

D. Full service budget: Mary distributed a draft full service budget to be discussed next week, pending results of Homer city council executive session on 3/12/01.

E. KES fire chief/administrator job descriptions and hiring procedures: Mary got CES and HVFD job descriptions, but we will delay deciding on positions and hiring until next week. If city seems amenable to contract we will delay implementing independent operating plan. Mary is reluctant to advertise for chief without our commitment to independent service. We will be prepared to take two budgets to borough finance meeting on March 21st if no decision on direction is reached next week.

9. Comments of the Audience: none

10. Board Comments, Announcements, Future Agenda Items

Nikiski chief Billy Harris: rural water supply, tanker shuttle: ask for future meeting: water supply is an important component of our service infrastructure.

Cooper Landing volunteer fire department article: community pulls together a renewed volunteer force after many volunteers quit.

KPEMS meeting Friday, March 9, 10 am. teleconferenced at HVFD: Mary will attend Anchor Point FSA board meeting Monday, March 12, 7 p.m. AP fire hall: Pat will attend Homer City Council meeting Monday, March 12, 7:30 p.m. (executive session on KES): Mary and Pat will attend committee of whole meeting and Mary will attend council meeting.

Borough budget meeting Wednesday, March 21, 3:30 p.m. Soldotna

Gary Kulesza of Smokey Bay construction will make a building presentation next week.

Will Jasper, Funny River fire chief, presentation at future meeting

Lee will be gone March 15 and maybe March 22 (will let us know soon)

Pat will be gone March 22

11. Date and Time of Next Meeting: 7 p.m. Thursday, March 15, 2001

12. Adjournment: 8:45 p.m.

Approved 3/15/01

Patrick Johnson, vice-chair

Kachemak Emergency Service Area (KESA)
Board Meeting
Approved Minutes

7 p.m., Thursday, April 12, 2001
Borough Annex Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by chair Scott Cunningham
2. Roll call:
Present: Scott Cunningham, Dennis Oakland, Pat Johnson, Lee Krumm, Mary Griswold
Absent: none
Also present: Sue Hecks, Kenai Peninsula EMS coordinator; 7 public
3. Public comment:
Abigail Fuller (P.O. Box 2845 Homer 99603) submitted written comments (attached) against Homer's counter proposal. The city wants all the money and control, leaving nothing for developing KES. Counter with a \$115,000 offer for one year, take it or leave it.

Vi Jerrel (P.O. Box 938 Homer 99603) asked if the board was voting on Homer's counter proposal tonight. She absolutely opposes contracting with the city. Proceed independently. The city cannot provide service to this area.

Roger Imhoff (P.O. Box 2855 Homer 99603) is disappointed with the counter proposal. We need a certain amount of money to get going ourselves. Contract for training and communications and per-call arrangements.
4. Correspondence:
From borough: Assembly will review our budget at a work session on May 14th at 1:50 p.m. Telephone call from Milli Martin to report that Kachemak Selo is looking for firefighting equipment and that she suggested that community leader Kuzman contact us. She also urges us to run our preliminary recommendations regarding Homer's counter proposal by borough legal, finance, and administration before making a decision.
5. Approval of agenda: Cunningham/Oakland unanimous with addition of 8A Sue Hecks presentation and ambulance availability and under 7A Request for executive session regarding matters the immediate public knowledge of which would clearly adversely affect the finances of KESA and the Kenai Peninsula Borough: response to Homer's contract counter proposal.
6. Approval of minutes of 4/05/01 meeting: Oakland/Krumm Unanimous with correction under 7A that Ron Drathman spoke to Dale Bagley in Homer, not Seldovia.
7. Unfinished business:
A. Homer contract proposal update: Homer's counter proposal of April 11 in hand, Scott opened the floor to public comment section by section. Abigail asked what additional uncompensated

responsibilities the city was assuming. Cris noted the response was limited to road access. Consensus that paying 20% of costs is reasonable for 100% response to our area, not 20% response or 35% response either, as could be interpreted from city's reasoning. Cris asked if their contract reflected the feelings of the volunteers. Kip Walrath (P.O. Box 462 Homer 99603) said he is a HVFD volunteer and would rather that Drathman did not speak for him. He volunteers to serve the whole community. Money is not the reason he volunteers, stipend is unnecessary. Abigail observed that the city doesn't want to lose control, wants the money no strings attached. Cris suggested that we should offer less to compensate for the area they can't respond to. Include property values that can reach and account for seasonal access. Roger noted that service is worth a lot less to someone farther out. Must make cost more fair. Abigail questioned the 37% budget increase for FY02. Linda Rinehart commented that her picture of the fire department was a lot different from what was reflected in the contract. Sue Hecks noted that the counter offer is an administrative level effort, not a department volunteer level effort. She asked if the city was forcing volunteers to choose between departments. Will training efforts be duplicated? Abigail objected to the administrative fee for cashing our check and observed that the city intends to shift EMS billing responsibility for service in KESA to KES.

8. Sue Hecks presentation (moved up on agenda from New Business)

Sue Hecks is the Kenai Peninsula EMS coordinator and an EMT III. She is a resource for training and funding information. The KPEMS Council was founded in 1986. It is a subarea of the Southern Region EMS, dedicated to providing better public service. The council meets 6 times a year, sometimes at the borough office in Soldotna, sometimes by teleconference. They have a small training budget to share among the 16 members. She then offered KES a used ambulance, the old Homer Medic 2 which has been in Anchor Point and destined to Cooper Landing until they got one from the North Slope. We must write a letter of request to the KPEMS Council. We must transfer title to the borough and insure the vehicle. The ambulance must go back to Southern Region when we no longer need it. The board expressed its gratitude for this generous gift. Mary will draft request.

Sue reminded us to give her a list of our EMS needs and to consider requesting surplus equipment from the oil companies. She explained the Code Blue project distributing \$7.5 million to replace aging infrastructure. We cannot qualify now, but may submit a proposal during the next round in September. Capital equipment needs will be considered in December, but the state has not funded this program recently. She recommended that we send CES our priority FEMA priorities in case they get approval to submit an area-wide grant.

Approved by consensus to join KPEMS Council for \$25 membership fee.

7. A. continued: At 8:50 p.m. we adjourned to executive session to discuss matters, the immediate knowledge of which would clearly adversely affect the finances of KESA and the Kenai Peninsula Borough: our response to Homer's counter offer of April 11 to our contract proposal of February 6. We returned from executive session at 9:50 p.m. having determined to forward our preliminary recommendations on a response to Homer's counter offer to borough finance, legal, and administration before making a decision.

B. FY02 Operating plan

General discussion about how to get us set up. Chief will have to develop volunteer base and training opportunities. By consensus we will concentrate on EMS first because this was a

consistent priority on our survey results and because state forestry already provides wildland fire suppression.

C. Job descriptions

We discussed various job combinations favoring volunteer EMS and Fire chiefs responsible to board with a paid administrative assistant. We're leaning toward contract position for administrative assistant. A contract position would allow us 40 hours per week if necessary with existing funds. We discussed changes to chief job descriptions which we will refine at a later meeting. Mary noted that she would be gone from the last week of July through the first week of September. Consensus to get chiefs and administrative assistant hired before then.

D. Budget adjustments: We recommended adjustments to our independent service budget to allow for provisions of our recommendation to the city's counter proposal. Mary will ask Craig Chapman tomorrow how he wants to handle them before we reach a decision.

E. Letter to potential volunteers: postponed

F. Grants

VFA grant due April 20: by consensus approved Bill Morse's prices for slip-on unit components, radios, and ancillary equipment not to exceed \$10,000.

FEMA due May 2

Firefighting equipment category: approved by consensus 2 ALS kits at \$3000 each, 2 Lifepak 10 cardiac monitors at \$10,000 each, 40 radio/pagers at \$1075 each, 8 oxygen kits at \$300 each, 4 Stihl 036 chainsaws, and 30 20# fire extinguishers at \$80-\$100 each.

Vehicle will be a brush truck with 300-gallon compressed foam system. Pat will get reasonable cost estimate and specs to Mary asap. Mary will mail grant by April 26th.

Approved by consensus that Pat order a \$38 foam book for which he will be reimbursed.

8. New Business: Sue Hecks presentation; used ambulance availability (see above)

9. Comments of the Audience: none

10. Board Comments, Announcements, Future Agenda Items

Mary will be gone April 19

Lee will be gone April 19 and 26

Dennis will be gone April 19, 26, and May 3

Borough assembly budget review: May 14

KP EMS Council meeting May 11 in Soldotna

Nikiski chief Billy Harris: rural water supply, tanker shuttle

11. Date and time of next meeting: Thursday, April 26, 7 p.m.

12. Adjournment: 11:25 p.m.

Approved 4/26/01 _____ Scott Cunningham, chair

Kachemak Emergency Service Area (KESA)
Board Meeting
Approved Minutes

7 p.m., Thursday, October 25, 2001
Borough Office Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 8 p.m. by chair Scott Cunningham
2. Roll call:
Present: Scott Cunningham, Pat Johnson, Marge Tillion, Mary Griswold
Absent: Lee Krumm (excused)
Also present: 4 public
3. Public comment: none
4. Correspondence: KPEMS manikin grant info
5. Approval of agenda: approved by consensus with the addition of Manikin Grant as 8E.
6. Approval of minutes of 10/11/01 meeting: approved by consensus as presented.
7. Unfinished business:
 - A. Ambulance equipment inventory and cost: Requests for bids sent to 4 suppliers
 - B. AEDs/ EMS jump kits inventory and cost: postponed until ambulance is stocked
 - C. Pumper specs: Pat, Marge, and Mary will meet on 10/31 to put description together
 - D. Ninilchik ambulance storage: will be ready at end of month
 - E. Water tank cars: are delivered to Homer at cost of \$2560.56. Motion to transfer \$160.56 from contingency to contract services to cover over-run approved by consensus. Pat will check tank openings to recommend how we can secure them from entry.
 - F. VFA grant/ skid units: Mary will order pumps and reels and prepare rfp for tank construction.
 - G. McNeil Canyon station site/design: by consensus approved allocating up to \$5000 for a geotechnical report with \$1,000 to be transferred from personnel, \$1,500 from transportation, \$1,500 from and rents and \$1,500 from contingency to contract services. We will not order the report until we are further along in the land reclassification process. We approved Roger Imhoff's preliminary plat of the site. Pat will ask Tietjen's approval, upon which we shall submit to Roy Dudley to move toward reclassification.
Discussion about station design centered around what size and how finished a structure we need and can afford on this site. No decisions reached.
 - H. Garage lease east of Shoreline Golf Course: One proposal for space just west of Greer Road received by hand delivery last week and one for space at Mile 22 presented tonight at meeting. Decision postponed until next meeting. Mary will contact Greer Road prospect to discuss cost and space. Mile 22 proposer will provide a price next week.

I. Engine 2 pumper from HVFD Member Association: Johnson/Tillion motion to purchase the vehicle for \$1000 approved unanimously. Pat will move the engine to his house. The pressure relief valve must be replaced before we can put it in service. HVFD agrees to use it provided it will pass a pump test. We will station it in outlying area as first response believing that a small amount of water right away can keep a small fire from growing into a big one until larger apparatus arrive.

J. Co-sponsoring upcoming HVFD EMT-1 class: approved by consensus

K. Code Blue request: approved by consensus to ask for an ambulance similar to HVFD's. Mary will get specs from Bob Painter.

L. State forestry cooperative agreement: postponed

M. Logo design: postponed

8. New Business:

A. Sign oaths of office: done except for Lee Krumm

B. Diamond Ridge station/tank sites: we will look for one tank site along the flat portion of Diamond Ridge Road and one on Skyline Drive, perhaps by Ohlson Mountain Road intersection. Gary Thomas will contact a Diamond Ridge prospect. Mary will label ownership on Diamond Ridge assessor's map.

C. KPEMS Council meeting report: Scott reported that there may be grant money available for training and other projects. He will track with Jan Henry and Sue Hecks.

D. LBC Preliminary Report on Homer's annexation proposal comments: Under current DCED recommendation KESA would lose 3.04 square miles and about \$88,000.

E. Manikin grant: Scott will submit paperwork

9. Comments of the audience: none

10. Board comments, announcements, future agenda items: none

11. Date and time of next meeting: Thursday, November 8, 2001

12. Adjournment: 9:50 p.m.

Approved 11/08/01

_____ Pat Johnson, vice-chair

Kachemak Emergency Service Area (KESA)
Board Meeting
Approved Minutes

7 p.m., Thursday, November 8, 2001
Borough Office Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by vice-chair Pat Johnson
2. Roll call:
Present: Pat Johnson, Lee Krumm, Marge Tillion, Mary Griswold
Absent: Scott Cunningham (excused)
Also present: Milli Martin, Dean Ravin, Troy Matveev
3. Public comment: Assembly member Milli Martin (P.O. Box 2652, Homer 99603) expressed her willingness to sponsor our budget revision ordinance.
4. Correspondence: none
5. Approval of agenda: approved by consensus after moving 8A and introduction of 7H ahead of 7A.
6. Approval of minutes of October 25, 2001 meeting: Tillion/Johnson unanimous as presented.
7. Unfinished business:
 - A. Ambulance equipment inventory and cost
Equipment bids: waiting on one bid to arrive
New tires: agreed by consensus that the ambulance should have good tires; estimate \$600 at \$100 ea. for 6. Pat will research.
Ambulance inspection/repair: approved by consensus that Pat will ask Jan at Public Works if we may schedule an appointment for inspection. After reviewing inspection report (if approved to be done by PW), we will decide what to repair and who to do it.
 - B. AEDs/ EMS jump kits inventory and cost: items are the same as those being bid on the ambulance list. We will coordinate purchase with ambulance supplies.
 - C. Pumper specs: are almost ready for review and distribution.
 - D. Ninilchik ambulance storage: Pat will check with Beckers this weekend.
 - E. Water tank cars: security/ future location/ forestry funding support: Pat confirmed that tanks are secure. Pat will look at sites on Diamond Ridge as marked on assessors maps. Mary is tracking forestry funding possibilities.

F. VFA grant/ skid units:

Confirm tank configuration so we can solicit bids: Marge will bring pictures next week.

Scott Christi pick up trucks: loaners may be available until they can refurbish permanent trucks. Mary will confirm that we are willing to take surplus trucks as they are, but loaners would also be acceptable as long as we have wheels before spring.

G. McNeil Canyon station site/design

Site approval: Roger Imhoff completed plat, Mary sent to Roy Dudley and will track its progress through reclassification.

Station design: After general discussion we agreed by consensus that McNeil station should be a no-frills basic facility to house a pumper, fast-attack engine, ambulance, and pickup-size brush truck, with four overhead doors, bathrooms, water and septic system. We agreed that it is economical to cover without finishing some room for expansion. We will decide size by mid-December.

H. Garage lease east of Shoreline Golf Course: Dean Ravin (P.O. Box 1623, Homer 99603) presented his proposal to rent 288 square feet (12 x 24) in his garage on Kilcher Road at Mile 10.2 East End Road. Troy Matveev brought pictures of his shop nearing completion at Voznesenka. After filling out the evaluation form as provided in the request for proposals, by consensus we approved renting Dean Ravin's garage on Kilcher road. Jack Allen's Greer Road location is good, but the cost is too much and he cannot rent us less space than offered. Troy Matveev's shop bay is ideal, but it is too far from area EMTs to make an effective ambulance site. This is a good site for a brush truck. Dean Ravin's garage is in an excellent central location and the rent is the lowest. Six HVFD volunteers live in the vicinity of Kilcher Road. The garage itself is not ideal because the ambulance will have to park nose in due to a low structural beam toward the rear of the space. Ravin will have the garage ready for occupancy within 4 weeks of signing a one-year rental agreement. He will use the signed rental agreement to borrow money to complete the renovations. He requests a list of people authorized to enter the garage and a signup sheet for people to fill out after they use the garage. We agreed to these requests.

I. Engine 2 pumper from HVFD Member Association: moved to Pat Johnson's door yard.

J. Code Blue request for a new ambulance was submitted November 1.

K. Manikin grant was submitted October 26.

L. State forestry cooperative agreement is in progress

M. Logo design: postponed

8. New Business:

A. 2nd half budget preparation for borough assembly introduction on Nov 20

Jeff Sinz and Colette Thompson called in from Soldotna to outline the budget process. We will meet with them at 11 a.m. on Thursday, November 15th to prepare to negotiate a second six-month contract with Ron Drathman at 1 p.m. We will discuss contract issues beyond the dollar amount. After we arrive at a contract fee, we will plug in other line items to have our budget revision ready for introduction at the November 20 assembly meeting. Vote scheduled for December 11th.

B. State funding proposals: Capital improvement projects are due to the borough by November 29th. After discussion we agreed that our first priority is an F-550 brush truck. Mary will meet

with Drew Scalzi next week to discuss how to best promote our needs: whether to ask for one or more than one need. We may want to list additional items to keep options open for other funding sources.

9. Comments of the audience: none
10. Board comments, announcements, future agenda items:
KPEMS Council meeting 11/16/01 in Soldotna
11. Date and time of next meeting: Thursday, November 15, 7 p.m.
12. Adjournment: 10:15 p.m.

Approved November 15, 2001

Scott Cunningham, chair

Kachemak Emergency Service Area (KESA)
Board Meeting
Approved Minutes

7 p.m., Thursday, January 3, 2002
Borough Office Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by chair Scott Cunningham
2. Roll call:
Present: Scott Cunningham, Lee Krumm, Marge Tillion, Mary Griswold
Absent: Pat Johnson (excused)
Also present: 1 public
3. Public comment:
Tom Kizzia (P.O. Box 467, Homer 99603) is not thrilled to have a fire station so close to his home. However, he recognizes the need for a station and wants to express his concerns early so they can be taken into consideration. He would like motion-activated subdued lighting, a low profile building, a buffer left along back side, and willows and green spruce trees left standing where feasible. He would like to know how much of the parcel we intend to develop.
4. Correspondence: Gwen told Mary that the drawers of Martine's desk were found wide open, but nothing missing, the morning after our last meeting. To the best of our knowledge, we didn't do it, but will be more aware to make sure the building is not disturbed in the future.
5. Approval of agenda: by consensus as presented
6. Approval of minutes of December 20, 2001 meeting: by consensus as presented
7. Unfinished business:
 - A. City contract:
Final language is still not approved. At Drathman's request, Colette is working on language to address city service to Millers Landing which is borough land not within KESA.

Long-term plans: Borough FY03 budget preparation begins next Monday. We would like to avoid future 11th hour contract negotiations and prefer a longer-term contract with the city. We reaffirmed our desire to talk with HVFD and city representatives about longer range plans to work together and intend to pursue such discussions soon after this contract is signed.
 - B. Ambulance:
Oxygen bottles: we must order our own. Scott will talk to Bob Painter about type to buy.
Additional supplies: postponed until orders arrive
Name on doors: approved by consensus the \$156.40 price Pat got to paint Kachemak Emergency Services on two doors.

C. Jump kits

Supplies/ duffel bags: postponed until orders arrive.
SurvivaLink PO/invoice: Scott will get asap.

D. Pumper specs: Scott Elmer will meet with Pat and Mary tomorrow to finalize specs.

E. Water tank cars: future location/ forestry funding support: postponed

F. Skid units:

Tribal Health Consortium pickup trucks: postponed

Hoses, radios, chain saws: Tundra Communications quoted a price of \$2400 for two 100 watt Motorola Maratec radios with antennas. Marge will list hose and fitting requirements. We will not buy handheld radios now because we are close to grant limit and HVFD volunteers who will be driving brush trucks already have handheld radios.

G. McNeil Canyon station

Site approval: is scheduled for review at next Thursday's Kachemak Bay Advisory Planning Commission meeting and the January 14 borough planning commission meeting. The site has been modified but the revised plat is not yet available. Apparently the school property was removed and the back line extended to make a large enough lot to avoid small lot subdivision requirements. Mary will attend KBAPC meeting.

Station design/rfp process: we revisited our garage/station requirements and confirmed our intention to build an economical pre-engineered structure approximately 64 x 64 with 6 bay doors and provision for side extensions. We do not intend to finish more than necessary to house our apparatus. Rob Robson will come to our meeting on January 17th to clarify borough building requirements and coordinate the process to get us a conceptual design and cost estimate.

H. Kilcher Road garage lease: the signed lease was faxed to Dean Ravin on January 2, 2002.

I. State forestry cooperative agreement: postponed

J. Betty inspection/repair: postponed until spring

K. Logo design: postponed

8. New Business: none

9. Comments of the audience: none

10. Board comments, announcements, future agenda items:

Beckers' garage site

Lee to be gone January 6 to 11 and January 16 (may or may not be back for 17th meeting)

11. Date and time of next meeting: Thursday, January 17, 7 p.m.

12. Adjournment: 8:50 p.m.

Approved January 17, 2001

Scott Cunningham, chair

Introduced by:	Martin
Date:	12/11/01
Hearing:	01/08/02, 01/22/02
Action:	Postponed until 01/22/02
Date:	01/08/02
Action:	Enacted
Date:	01/22/02
Vote:	5 Yes, 4 No
Action:	Notice of Reconsideration given by Moss for 02/05/02
Action:	No Motion to Reconsider
Date:	02/05/02

**KENAI PENINSULA BOROUGH
ORDINANCE 2001-48**

**AN ORDINANCE AMENDING THE BOUNDARIES OF THE
KACHEMAK EMERGENCY SERVICE AREA TO INCLUDE
PROPERTY LOCATED IN THE MILLER'S LANDING AREA BETWEEN
THE CITY OF HOMER AND KACHEMAK CITY**

- WHEREAS,** in Ordinance 2000-29 the assembly established the service area now known as the Kachemak Emergency Service Area to provide fire and emergency medical services to the areas described in the ordinance outside of the cities of Homer and Kachemak; and
- WHEREAS,** the legal description for the proposed service area inadvertently excluded the area known as Miller's Landing which is a wedge of land situated between the City of Homer and the City of Kachemak containing approximately 161.65 acres and 74 residents according to the 2000 census; and
- WHEREAS,** the existing Kachemak Emergency Service Area contains 139,476.5 acres; and
- WHEREAS,** the residents of Miller's Landing were among the voters who voted on formation of the service area; and
- WHEREAS,** election results for Miller's Landing are not available, but Miller's Landing is part of the Fritz Creek precinct, where voters favored forming the Kachemak Emergency Service Area 227 to 66; and
- WHEREAS,** according to Alaska Statute 29.35.450(c) voter approval is not required to alter the size of a service area where the increase would include less than 1,000 residents and no more than 6 percent of the land area; and
- WHEREAS,** this increase complies with that requirement; and
- WHEREAS,** this modification does not violate Alaska Constitution Article X which prohibits the establishment of a new service area if the new service can be provided by annexation to a city as this ordinance is not establishing a new service area but

EX. X

instead is expanding the size of an existing service area to include an area that was intended to be included in the original service area;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. KPB 16.20.010 is amended to read as follows:

16.20.010. Boundaries.

There is established a service area within the borough designated as the "Greater Kachemak Volunteer Fire and Emergency Medical Service Area," in that portion of the borough described as all the following referenced to the Seward Meridian, Alaska:

Beginning at the north 1/16 line of section 35, T5S, R15W, and the mean high water line on the westerly shore of Cook Inlet;

Thence Easterly along the 1/16 line to the north 1/16 corner common to section 32 and 33, T5S, R14W;

Thence north along the section line to the intersection of the thread of Anchor River;

Thence easterly along the thread of Anchor River to the point of intersection with the line common to section 36, T4S, R12W and section 31, T4S, R11W;

Thence north to the Northwest corner of T4S, R11W;

Thence east along the township line to the section corner common to section 35 and 36, T3S, R11W, and section 1 and 2, T4S, R11W;

Thence north to the section corner common to section 1, 2, 11, and 12, T3S, R11W;

Thence east to the section corner common to section 5, 6, 7, and 8, T3S, R9W;

Thence south to the section corner common to section 19, 20, 29, and 30, T3S, R9W;

Thence southeasterly on a projected line toward the section corner common to section 28, 29, 32 and 33, T3S, R9W to the thread of the Fox River;

Thence southwesterly along the thread of the Fox River to the Mean High Water Line of the Kachemak Bay;

Thence southwesterly along the Mean High Water Line also being the north shore of Kachemak Bay to intersection of T6S, R12W, and T6S, R13W also being Kachemak City east boundary;

Thence north along the Kachemak City boundary to the south 1/16 corner common to section 1, T6S, R13W, and section 6, T6S, R12W;

Thence west along the Kachemak City boundary to the south 1/16 corner common to section 1, and 2, T6S, R13W;

Thence south along the Kachemak City boundary to the section corner common to section 1, 2, 11, and 12, T6S, R13W;

Thence west along the Kachemak City boundary to the section corner common to section 2, 3, 10, and 11, T6S, R13W;

Thence south along the Kachemak City boundary to the 1/4 corner common to section 10 and 11, T6S, R13W;

Thence west along the Kachemak City boundary to the Center 1/4 corner of section 10, T6S, R13W;

Thence south along the Kachemak City boundary to the 1/4 corner common to section 10 and 15, T6S, R13W also being the north boundary City of Homer;

Thence west along the City of Homer boundary to the section corner common to section 7, 8, 17, and 18; T6S, R13W

Thence south along the City of Homer boundary to the 1/4 corner common to section 17 and 18, T6S, R13W;

Thence west along the City of Homer boundary to the 1/4 corner common to section 14 and 15, T6S, R14W;

Thence south along the section line to the intersection of the Mean High Water Line of Cook Inlet;

Thence Northwesterly along the Mean High Water Line and the Cook to intersection of the north 1/16 line of section 35, T5S, R15W, the point of beginning.

And that land also known as Miller's Landing more particularly described as:

Beginning at the Mean High Water Line of Kachemak Bay, at the point common to Section 11 and 14, Township 6 South, Range 13 West;

Thence West along the section line also being the Homer City boundary to the centerline of East End Road;

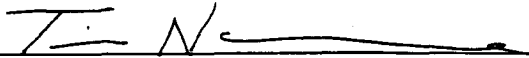
Thence Northeasterly along the centerline of East End Road also being the boundary of Kachemak City to the section line common to Section 11 and 12, Township 6 South, Range 13 West;

Thence South along the section line also the boundary of Kachemak City to the Mean High Water Line of Kachemak Bay;

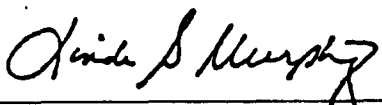
Thence Southwest along the Mean High Water Line of Kachemak Bay, the point of beginning.

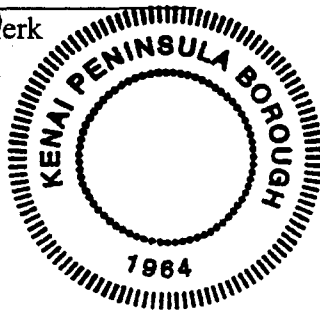
SECTION 2. That this ordinance shall take effect retroactive to January 1, 2002.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 22ND DAY OF JANUARY, 2002.


Timothy Navarre, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



**Kachemak Emergency Service Area (KES)
Board Meeting
Approved Minutes**

Thursday, January 25, 2001
7 p.m.
Borough Annex Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by chair Scott Cunningham
2. Roll call:
Present: Scott Cunningham, Pat Johnson, Mary Griswold
Absent: Leroy Krumm, Dennis Oakland (both excused)
Also present: 4 in audience
3. Public comment: none
4. Correspondence: 39 surveys received today
5. Approval of agenda: Johnson/Griswold. Unanimous
6. Approval of minutes of previous meeting: Cunningham/Johnson. Unanimous
7. Unfinished business:

A. CES and Nikiski contact: postponed

B. Survey results: 224 surveys have been tabulated to date. 49 have expressed interest in volunteering, 51 more are willing to talk to us. Ambulance/first response is the #1 priority service across all geographic areas, structural fire suppression is #2. The level of current service varies within and among areas, and most said they don't know their current level of service. All but a handful of residences are insured and even more have smoke detectors. 37% prefer to maintain service at current level, 35% prefer to improve service, 5% prefer to reduce service, and 23% expressed no preference. The average acceptable times for fire truck and ambulance arrival were generally less than what now occurs. Most common risks included slow response and wildland fires. Many expressed thanks for what HVFD has done and for what KES is doing. Two people expressed interest in donating land for stations.

C. Framework additions: \$20 per tree for drop and limb on private property, HVFD 2000 call distribution, HVFD and CES policies and procedures manuals. Pat visited the Bear Creek Fire Department last Saturday, looked at their equipment and water supply. He noted that having 3500 gallons on wheels reduced their ISO rating. He will copy ISO rating compliance materials for us. Next week we will begin developing scenarios and associated costs for operating a full service department based on the information we have collected.

D. Our name change to Kachemak Emergency Service Area and start-up loan of \$10,000 were approved by the borough assembly on Tuesday, January 23rd. Thanks to Milli Martin for shepherding this through.

E. Borough packet: Our 4 priorities for state funding were included in the borough packet of legislative priorities 2001.

F. Spruce bark beetle grant: Development of dry hydrant system needs more thought. Voznesenka has a domestic water system consisting of a 250,000-gallon above ground tank and 50,000-gallon capacity poured concrete storage under a building. We will research this approach as opposed to a 35,000-gallon steel tank at an estimated cost of \$50,000 plus installation. Don Blackwell of Blackwell Pump has experience and information about these alternatives.

G. Department of Interior grants: We are collecting information on various grant sources. Federal Emergency Management Agency (FEMA) program will award \$100 million on September 30, 2001 but their application process is still under development.

H: Borough letter to City of Homer: Scott reported that Mayor Bagley and Colette Thompson are finishing a letter to be sent shortly that confirms that the city should discuss contracts and other cooperative agreements with us because we have the local knowledge and that the borough will provide administrative and legal support for us.

I. Torgerson/Scalzi contact: Lee visited both legislators to promote funding for our service area and our 4 priorities in particular when he was in Juneau on January 8th. They were receptive, but made no promises.

8. New Business:

A. KES letter to City of Homer: Mary presented a draft letter proposing to negotiate a one-year contract with the city beginning July 1, 2001, to continue the current level of service to our service area. The proposed terms include a description of service levels, contract fee, additional KES reimbursements for service, provision for vehicle acquisition and maintenance, and an indemnity statement. At this point, Scott called for comments of the audience before moving to executive session. Griswold/Cunningham Unanimous to move to executive session to discuss the specific financial terms of compensating the city for service and other reimbursement and contract items. After executive session, Cunningham/Johnson Unanimous to adopt letter as amended and send it to borough attorney for review.

9. Comments of the audience:

Cris Rideout (P.O. Box 2430, Homer 99603) encouraged volunteer incentives such as health insurance. He suggested that we request to be included on the agenda at the next Homer City Council meeting (February 12) to present our proposal. He is willing to visit the state legislature this spring on behalf of KES. He suggested looking into contracting for KES equipment maintenance through state and private mechanics as well as city public works.

Vi Jerrel (P.O. Box 938, Homer 99603) advised us not to be bashful about asking the legislature for money. Safety and health issues are priorities for the legislature as Dennis Oakland pointed

out at a previous meeting. We can train and hire our own personnel when we have money. Ed Oberts has money sources to tap other than property taxes. The borough has hired a grant writer to help find funds. The borough may provide land for KES fire stations and noted that there is borough land next to state DOT on the Sterling Highway just past Rogers Loop that may be appropriate. She suggests that there are 3 areas for fire stations: Diamond Ridge, Skyline, and East End Road. Diamond Ridge is a big area to consider. There will be more calls for service when the service area is operational because right now, many people rely on themselves (for emergency transport) because they know that timely response from Homer is not available.

10. Board comments, announcements, future agenda items:

Pat will contact city about being on February 12 agenda (if our proposal is ready). He noted that we are not proposing to duplicate the service Homer provides, we are expanding it. We may have an edge on grants because we are new.

Scott agreed with Vi that outlying people often transport because HVFD response time is too slow and that Diamond Ridge is a very large area to serve. He agreed that we should be sure to ask for enough money for what we need.

Mary suggested that we start looking at a layout for future fire stations and prioritize building them based on access and water delivery, not necessarily immediately improved ISO ratings.

KES is scheduled to meet with borough finance at 3:30 p.m. on Wednesday, March 21.

11. Date and time of next meeting: Thursday, February 1, 7 p.m.

12. Adjournment: 9:30 p.m.

Approved 2/1/01

Pat Johnson, Vice-chair

Ex. Y

Introduced by: Mayor, Martin
Date: 09/18/01
Hearing: 10/23/01
Action: Enacted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
ORDINANCE 2001-19-14**

**AN ORDINANCE ACCEPTING A GRANT FROM THE FEDERAL EMERGENCY
MANAGEMENT AGENCY IN THE AMOUNT OF \$159,556 FOR THE PURCHASE OF
A VEHICLE FOR KACHEMAK EMERGENCY SERVICE AREA AND
APPROPRIATING THE GRANT AND MATCHING FUNDS (\$17,729) TO A CAPITAL
PROJECT ACCOUNT**

WHEREAS, the U.S. Federal Emergency Management Agency (FEMA) has created the Assistance to Firefighters Grant program to help rural fire departments with funding for equipment, personal protective gear, and programs; and

WHEREAS, Kachemak Emergency Service Area (KES) applied for funding of a Class A Pumper Truck under this program and has received notice of award of a grant in the amount of \$159,556; and

WHEREAS, the grant program requires that (1) grantees share in the cost of the project, (2) grantees serving jurisdictions of 50,000 or fewer residents provide a non-Federal cost share of 10% of the total project cost, and (3) the cost share must be in cash; and

WHEREAS, the KES Board approved acceptance of the grant and expenditure of the matching funds for the purchase of a Class A Pumper Truck at their regularly scheduled meeting held September 6, 2001; and

WHEREAS, matching funds in the amount of \$17,729 are currently available to be transferred for this purpose in the approved KES operating budget; and

WHEREAS, the local share contribution of \$17,729 and the FEMA grant amount of \$159,556 will provide a total of \$177,285 to be used for the purchase of a Class A Pumper Truck;

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That the Mayor is authorized to execute a grant agreement and any other documents necessary to accept a grant in the amount of \$159,556 from FEMA for the purchase of a vehicle for Kachemak Emergency Service Area.

SECTION 2. That grant funds in the amount of \$159,556 are hereby appropriated to Kachemak Emergency Service Area capital improvement fund account number 446.51810.16959.48514.

SECTION 3. That \$17,729 shall be transferred from the KES operating fund to the KES capital improvement fund and appropriated to account number 446.51810.16959.48514 for the purchase of a Class A Pumper.

Introduced by: Mayor, Martin
Date: 09/18/01
Hearings: 10/23/01
Action: Enacted
Vote: 9 Yes, 0 No

**KENAI PENINSULA BOROUGH
ORDINANCE 2001-19-15**

**AN ORDINANCE AUTHORIZING THE RECEIPT OF A VOLUNTEER FIRE
ASSISTANCE GRANT FROM THE ALASKA DEPARTMENT OF NATURAL
RESOURCES AND APPROPRIATING \$4,960.00 TO THE KACHEMAK EMERGENCY
SERVICE AREA**

WHEREAS, Kachemak Emergency Service Area applied for a grant under the 2001 Volunteer Fire Assistance program administered by the Alaska Department of Natural Resources, Division of Forestry; and

WHEREAS, notice has been received that a grant has been awarded to the Kachemak Emergency Service Area in the amount of \$4,960; and

WHEREAS, the Volunteer Fire Assistance Grant program requires a one-to-one match of local expenditures to the grant funds; and

WHEREAS, matching funds in the amount of \$4,960 are available in the KES budget under account number 212.51810.42410; and

WHEREAS, on September 6, 2001, the Kachemak Emergency Service Area Board approved acceptance of the Volunteer Fire Assistance grant and expenditure of the grant and matching funds to purchase fire response equipment;

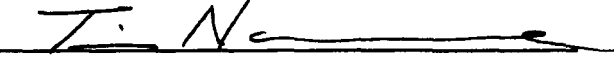
**NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI
PENINSULA BOROUGH:**

SECTION 1. That the Mayor is authorized to accept the Volunteer Fire Assistance grant funds from the Department of Natural Resources on behalf of the Kachemak Emergency Service Area and is authorized to execute all documents deemed necessary to accept the grant.

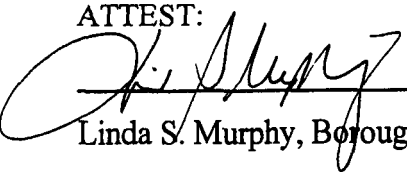
SECTION 2. That grant funds in the amount of \$4,960 are appropriated to the following KES operating fund account 212.51810.21VFA.42410 for the purchase of minor firefighting equipment:

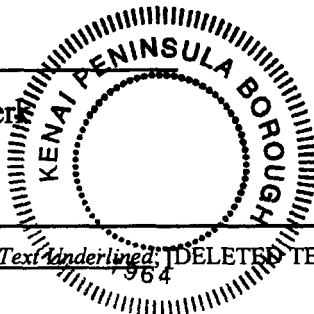
SECTION 3. This ordinance shall become effective immediately upon enactment

**ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 23RD
DAY OF OCTOBER, 2001.**


Timothy Navarre, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



EX- AA

Introduced by:

Mayor

Date:

07/10/01

Hearing:

08/07/01

Action:

Enacted as Amended

Vote:

9 Yes, 0 No

**KENAI PENINSULA BOROUGH
ORDINANCE 2001-19-07**

**AN ORDINANCE APPROPRIATING FUNDS FOR THE KACHEMAK EMERGENCY
SERVICE AREA FOR FISCAL YEAR 2001-2002**

WHEREAS, On June 5, 2001, the assembly enacted Ordinance 2001-19 appropriating funds for fiscal year FY2001-2002; and

WHEREAS, The assembly amended Ordinance 2001-19 by reducing the appropriation for the Kachemak Emergency Service Area to \$50,000 and requesting that the Service Area Board meet with the assembly during a work session on July 9, 2001 to discuss the service area plan for providing service and a revised budget for FY2001-2002; and

WHEREAS, The Kachemak Emergency Service Area Board approved a six-month contract with the city of Homer at its meeting on June 28, 2001; and

WHEREAS, The borough entered into an agreement with the city of Homer to provide service during the first six months of FY2001-2002 subject to the assembly appropriation of funds; and

WHEREAS, The Service Area Board approved a revised budget to submit to the assembly that provides funding for the contract with the city of Homer and other service enhancements during the first half of FY2001-2002.

NOW, THEREFORE, BE IT ORDAINED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH:

SECTION 1. That Kachemak Emergency Service Area appropriation for the fiscal year beginning July 1, 2001 and ending June 30, 2002 is increased to \$189,287, a net increase of \$139,287, by amending the original approved budget as follows:

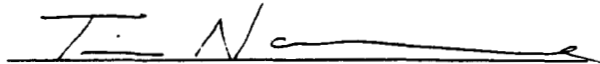
40120	TEMPORARY WAGES	\$ 1.000
42110	OFFICE SUPPLIES	250
42210	OPERATING SUPPLIES	15,000
42220	MEDICAL SUPPLIES	20,000
42230	FUEL, OIL, LUBRICANTS	1,000
42410	SMALL TOOLS AND MINOR EQUIPMENT	4,960
43011	CONTRACT SERVICES	108,627
43110	COMMUNICATIONS	250

43140	POSTAGE	50
43210	TRANSPORT/SUBSISTENCE	1,750
43310	ADVERTISING	500
43510	INSURANCE	500
43610	PUBLIC UTILITIES	1,000
43750	VEHICLE MAINTENANCE	4,000
43810	RENTS AND OPERATING LEASES	3,000
43812	EQUIPMENT REPLACE PAYMENT	7,000
43920	DUES AND SUBSCRIPTION	200
43922	VEHICLE LICENSES	100
47100	TRANSFER-GENERAL FUND	1,500
47446	TRANSFER-CAPITAL PROJECTS FUND	10,000
48515	FIREFIGHTING/RESCUE EQUIPMENT	3,600
49999	CONTINGENCY	(45,000)
DEPARTMENT TOTAL		<u>\$ 139,287</u>

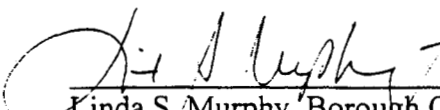
SECTION 2. That the Equipment Replacement Internal Service Fund appropriation for the fiscal year beginning July 1, 2001 and ending June 30, 2002 is increased to \$569,445 by adding \$110,750 to fund the purchase of a Brush Truck for the Kachemak Emergency Service Area.

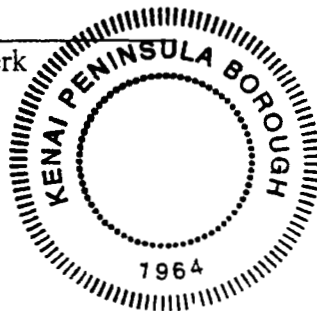
SECTION 3. That this ordinance takes effect at 12:01 a.m. on July 1, 2001.

ENACTED BY THE ASSEMBLY OF THE KENAI PENINSULA BOROUGH THIS 7TH DAY OF AUGUST, 2001.


Timothy Navarre, Assembly President

ATTEST:


Linda S. Murphy, Borough Clerk



MEMORANDUM

To: Timothy Navarre, Assembly President
Members, Kenai Borough Assembly

Thru: Dale Bagley, Mayor

From: Jeffrey Sinz, Finance Director

Date: July 9, 2001

Subject: Revised budget for the Kachemak Emergency Service Area

The attached ordinance if approved would revise the FY2001-2002 Kachemak Emergency Service Area (KESA) budget by increasing it to \$189,287. In addition, it would provide an increase of \$110,750 to the borough's Equipment Replacement Fund for one new Brush Truck that would be leased back to the KESA.

On June 5, 2001 the assembly amended the mayor's proposed FY2001-2002 budget by decreasing the appropriation for the Kachemak Emergency Service Area to \$50,000 and requesting a work session with the Service Area Board on July 9, 2001 to discuss the service area operating plan and a revised budget. Since then, the KESA board has approved a contract with the city of Homer to provide service for the first six months of the borough's fiscal year. It is anticipated that a second agreement covering the second half of the year will be negotiated in November or December.

The revised budget will provide \$106,227 to fund the contract, \$1,500 to repay the borough general fund for funds advanced during FY2000-2001, \$10,000 to start building an equipment replacement reserve fund, \$28,000 to equip and maintain two used ambulances, \$19,960 for volunteer supplies and equipment, \$7,000 for a partial year lease payment, \$2,400 to transport three water holding tanks, \$5,000 for contingencies and \$9,200 for miscellaneous operating costs. An additional budget revision will be forwarded to the assembly when more information, including the cost a second contract with the city of Homer, are known.

Also attached is a detailed breakdown of the \$189,287 revised budget proposal and a fund level summary showing revenues and the resulting fund balance available for future appropriations.

Ex. AB, p. 3

MEMORANDUM

TO: Timothy Navarre, Assembly President
Members, Kenai Peninsula Borough Assembly

THRU: Dale Bagley, Mayor

FROM: Colette Thompson, Borough Attorney

DATE: July 26, 2001

SUBJECT: Ordinance 2001-19-07, appropriating funds for Kachemak
Emergency Service Area

The third Whereas of Ordinance 2001-19-07 states that the service area board unanimously approved a six-month contract with the City of Homer at its June 28, 2001, meeting. The service area board secretary advised the administration that the vote was four in favor, none against, and one abstention.

The following amendment is proposed to correct this error:

Amend the third Whereas as follows:

WHEREAS, the Kachemak Emergency Service Area Board [UNANIMOUSLY] approved a six-month contract with the city of Homer at [THEIR] its meeting on June 28, 2001; and

Ex. AB, p.4

Kachemak Emergency Service Area (KESA)
Board Meeting
Approved Minutes

7 p.m., Thursday, March 29, 2001
Borough Annex Building
206 E. Pioneer Avenue, Homer

1. The meeting was called to order at 7 p.m. by chair Scott Cunningham
2. Roll call:
Present: Scott Cunningham, Pat Johnson, Lee Krumm, Mary Griswold
Absent: Dennis Oakland (excused)
Also present: Will Jaster, Funny River Fire Chief; Jan Sloan, Funny River Coordinator; 5 public
3. Public comment:
Vi Jerrel (P.O. Box 938, Homer 99603): City has had enough time to reply. We should not give them more time. Her impression was that the budget given to the borough was for independent service. Job descriptions should be put out immediately for paid positions because people cannot afford to volunteer. The borough service area is an important counter to annexation.
Roger Imhoff (P.O. Box 2588, Homer 99603) has lived near McNeil Canyon for 20 years and is not thrilled to hand over tax dollars to the city. He would like to see vehicles located in outer areas.
Gil Mayforth (P.O. Box 3514, Homer 99603) recommended holding meetings elsewhere to give residents the chance to attend closer to home. McNeil Canyon School would be a good location for East End Road residents. Chief should be full-time paid position with authority to build volunteer department.
Cris Rideout (P.O. Box 2430, Homer 99603): any discussion between city and borough should include us. He suggested a letter from Bagley to Drathman to that effect. He recommended a Coffee Table program to publicize our contract proposal. He noted that the Local Boundary Commission is aware that the city is not willing to work with the community.
4. Correspondence:
VFA grant application (moved to 7C grants) and notice of borough insurance coverage
5. Approval of agenda: Cunningham/Krumm unanimous as amended to include 7C VFA, 8G and 8H.
6. Approval of minutes of 3/15/01 meeting: Cunningham/ Johnson Unanimous.
8. A. Will Jaster presentation: Will Jaster and Jan Sloan described their experience setting up their fire department, offered suggestions, and answered questions about setting up ours. FRFD is a volunteer 501(c)(3) organization serving 636 residents. They do not have tax support; they are not a borough service area. Their budget is between \$30,000 to \$50,000. 15 fire fighters, 5

EMTs. EMS is under auspices of CES who provide them an ambulance. Will is volunteer chief, Jan is volunteer coordinator for about 60 hours per week. Both recommended that we get a chief and an administrative assistant and stressed that this should be two positions, not one. Water sources are very important and so are mutual aid agreements. General discussion about operating options.

7. Unfinished business:

A. KESA budget update: Mary and Milli Martin met with Dale Bagley, Craig Chapman, and Ed Oberts on March 21 to review our draft budget.

Vehicles: there is still a question about how the loan from the Equipment Replacement Fund will work. Borough Finance department will address this. Finance recommended lowering the amount we were requesting from the fund. Mary reduced to \$495,750 which could cover 1 EMS rig, 1 tanker/pumper, 1 ambulance, and 1 brush truck. Pat suggested that we could remove tanker/pumper. Discussion about upgrading jump kits instead of buying EMS rigs. Mary made a mistake entering equipment expenses, so reductions were made in the working draft budget to communications, capital project fund, and fire fighting equipment. We will review all items and amend the budget for final approval at the April 12 meeting when other adjustments will be considered.

Dispatch update from Jan Henry and AST Hipsman: Drathman recently asked Bagley what we were planning to do about dispatch. We have been researching this for several months. It is a convoluted system according to Jan Henry at the borough office of emergency management. Borough has responsibility to receive 911 calls. The 911 charge on our phone bills pays about 45% of cost, borough picks up rest. Alaska State Troopers take calls in Soldotna where they are automatically transferred to appropriate community. Homer, Seward and Kenai retained responsibility for dispatch so borough pays them. Homer gets \$48,000 for backup communications. For the rest of the borough, AST does dispatch. CES pays for 1 position, Soldotna, 2, and Nikiski 1. We may be covered under the \$72,500 special services contract between the AST and city of Homer. Mary is trying to talk to Lt. Tom Bowman in Soldotna about this. The contract is very loose, not specifying what is covered. We could do it ourselves like Anchor Point does, but this requires 24/7 commitment for coverage.

Craig Chapman will provide cost of benefits for 30 hour position for us to add to our draft working budget.

B. Homer contract proposal update: Mary testified during public comment at 3/27 city council meeting after which council met in executive session about KES, but took no action. Discussion about how we should proceed. We agreed that we would review KES job descriptions (see 8B) next week and make a decision on April 12 based on options then on the table. Drathman told Bagley that he expected to respond to our proposal by early to mid April the first or second week of April. Mary thought it important that any contract with the city recognize our autonomy. We are a separate entity regardless of how we provide service. The proposed contract is only one (important) piece of a bigger operating plan. The proposed contract covers only a portion of our operations, and less than half our budget. We are not like Kachemak City where their total service is provided by HVFD under contract. We will take this under advisement as we finalize operating plan and budget on April 12. Further discussion.

C. Grants

Spruce Bark Beetle grant: approved by consensus Mary's \$120,000 request for three 35,000-gallon water storage tanks installed. Scott will sign letter tomorrow.

Ric Plate surplus generators: we do not want them now because we don't think we can use them within a reasonable amount of time.

FEMA: Grant request due on May 2. Although we approved training and firefighting equipment categories on February 8th, we changed training to vehicles tonight by consensus. Maximum total grant award is \$750,000 requiring a 10% match.

Kenai National Wildlife Refuge; rural fire department grant program; Mary will research Rural Development grant program to Ted Stevens is in the works

Federal Excess Property equipment request: submitted 3/16/01

VFA grant application received today, due by April 20. \$5000 grant with 50% match

8. New Business:

A. Will Jaster presentation: setting up a fire department (see above)

B. KES fire chief/administrative assistant job descriptions and hiring procedures: Mary distributed draft descriptions for review next week. The job descriptions are for two positions in an independent department. We may choose to create a different position using some of these functions if we contract with Homer for some services. We will revise job descriptions on April 5 and submit to borough for approval before making a decision on specific positions on April 12.

Griswold/Krumm Unanimous to appoint chair Scott Cunningham as KES interim chief. Whether we proceed independently or under contract with the city, we agree that we need a chief (or administrator) to oversee development of our operating plan. We also need a chief in order to register our department with the state fire marshal's office to qualify for grant funding.

C. Letter to potential volunteers and those who agreed to talk to us (from survey returns): Mary distributed draft letter for board review at next meeting.

D. State Fire Marshal department registration: we will register our department with Scott as interim chief and Pat, Lee, Cris Rideout, Brian Howard, and Mary as members by their agreement. Discussion about attracting more volunteers through an ad in the papers. No action taken.

E. Mutual aid agreements: Mary has mutual aid agreements between CES, Nikiski, and Kenai. The borough clerk's office could find none between Anchor Point and Homer. Laura Craig will send Mary a copy if she finds one.

F. Peninsula Fire Chiefs membership: approved by consensus KES membership at \$10.

G. Phone number: Mayor Bagley requested that we get a phone number before April 14th to be included in the fall directory. Approved by consensus to proceed with the understanding that we do not have to install phone until August (or possibly later).

H. Mileage reimbursement: Craig Chapman explained to Mary that mileage reimbursement over federally approved \$0.345 per mile must be reported as wages and requires a W2. Service areas may set their own reimbursement. Bear Creek pays \$0.25 for example. By consensus we approved paying \$0.345 (instead of borough \$0.47) per mile for travel to avoid hassle of reporting requirements.

9. Comments of the audience:

Brian Howard (P.O. Box 3571(?) Homer 99603) likes our focus on EMS. He will be gone working shortly but back in November when he will volunteer. He lives a half mile beyond McNeil Canyon School and may lease land to us at low price for a station. He suggested leasing trucks during fire season or using a combined brush truck/EMS rig. He said we were lucky to have 2 paramedics out East End and two in Diamond Ridge area. Concentrate on Advanced Live Support response first, ambulance acquisition could wait. A paramedic on scene is close to hospital care: priority to get good help on scene fast. He will provide a list of EMS equipment and ball-park prices to Scott by next week. He asked if we could phase in service. Communications and EMS infrastructure should be priorities.

Cris Rideout volunteered to help with communication equipment maintenance and repair. He provided telecommunication support for National Park Service.

10. Board comments, announcements, future agenda items:

Scott suggested being on radio programs to promote our contract proposal to city. After discussion we decided that it was more appropriate to present our decision of April 12. There has been adequate press coverage of the offer even though many people seem unaware.

Scott said we could phase in service as long as any service we provided was done legally and up to standards. We cannot provide any service until we can do it legally.

Billy Harris: rural water supply, tanker shuttle

Kenai Peninsula Fire Chiefs' meeting April 5, 5:30 p.m.

Bagley will talk to Drathman on April 5th; Mary will ask him to give us an update

Mary will be gone April 19th

Lee will be gone April 19th and 26th

11. Date and time of next meeting: Thursday, April 5, 7 p.m.

12. Adjournment: 10:50 p.m.

Approved as amended on April 5, 2001

Scott Cunningham, chair

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Division of Forestry

Alaska Department of Natural Resources

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Fire Information

- [Fire Home](#)
- [Burn Permits](#)
- [Current Fire Information](#)
- [Fire Management Plans](#)
- [Fire Assignments](#)
- [Fire Assistance Grants \(VFA/RFA\)](#)
- [Annual Fire Statistics](#)
- [Fire Terms Glossary](#)
- [Other Fire Sites](#)

Division of Forestry Fire and Aviation Program

The goal of the Division of Forestry Fire and Aviation Program is to provide safe, cost-effective, and efficient fire protection services and related fire and aviation management activities to protect natural surface resources, man-made improvements, and human life on State, private, and municipal lands commensurate with the values at risk.

Interagency Effort

Fire management planning, preparedness, suppression operations, prescribed fire, and related activities are coordinated on an interagency basis with the full involvement of DOF and its state, federal and local government cooperators.

Fire management planning, preparedness, suppression operations, prescribed fire, and related activities will be coordinated on an interagency basis with the full involvement of DOF and its state, federal and local government cooperators.

The Division of Forestry, [Bureau of Land Management](#), and the [U.S. Forest Service](#), fight fires within their protection areas on all land ownerships which reduces the duplication of facilities and services. None of the agencies in Alaska have all of the resources required to accomplish the fire protection job on their own. The Division of Forestry has cooperative agreements with the Departments of Agriculture and Interior, and numerous local government and volunteer fire departments to help get the job done. The state and federal agencies routinely utilize each other's personnel and resources to both manage and fight fires. This is efficient and cost effective.

In 1984 the State of Alaska adopted the National Interagency Incident Management System Incident Command System concept for managing its fire suppression program. The Incident Command System guiding principles are followed in all wildland fire management operations. All state Departments adopted the Incident Command System in 1996 through the Governor's administrative order.

Preparedness

"In order to be ready when needed, you must also be ready when not needed."

Preparedness is one of the most important aspects of the Division's Fire & Aviation Program. Division of Forestry's fire managers are responsible for providing a safe, cost-effective fire management program through appropriate planning, staffing, training, and equipment levels. No one can predict exactly

where or when fires will occur, but there will be wildland fires. Firefighters, equipment, facilities, and all the support elements it takes must be ready before a wildland fire starts. Preparedness reduces the risk of escaped fires and saves the state money.

Fire Suppression Operations

A successful initial attack can save the state millions of dollars in suppression costs. A trained, experienced, and well-equipped workforce is essential to locate and initial attack wildland fires while they are small. The cost of a successful initial attack averages \$4 thousand dollars per fire compared to costly "project" fires that can cost from \$3 million to \$30 million dollars to suppress. One of the Division of Forestry's top priorities is the aggressive and effective initial attack of wildland fires in the full and critical protection areas of the state.

Suppression activities for wildland fires are governed by the implementation of the Fire Plan that in most cases has predetermined the level of response to a given fire. Sound and proven fire management principles stressing safe, cost-effective, and efficient response to all wildland fires are followed by the Division of Forestry.

Seasonal employees are the backbone of the fire suppression program. They are an experienced and qualified work force, many of who have worked for Forestry 10-15 years. Their expertise provides the basis for the Division of Forestry's ability to expand from a few dozen employees to over a thousand within a day or two and be effectively fighting fires immediately.

In addition to its permanent seasonal workforce, the Division relies heavily on Emergency Firefighters. Emergency firefighters are hired on an as-needed, short-term basis, and are utilized to augment the Division's workforce in all areas of the firefighting job. Individual Emergency Firefighters are hired to function as initial attack firefighters, warehouse workers, aviation ramp workers, etc.

Aviation Program

The Division of Forestry provides fire protection services on 150 million acres of land, and much of it is remote and inaccessible, requiring the use of airplanes and helicopters. The Division contracts the majority of its aircraft resources from the private sector, and manages and operates a combination of air tankers, helicopters, and miscellaneous fixed wing aircraft to deliver firefighters, mobilize emergency firefighters, move equipment and supplies, and drop fire retardant on fires. Close coordination between the state and federal agencies maximizes the use of aviation resources. Cooperative state and federal aviation management saves money.

FireWise

The Division of Forestry is actively promoting the FireWise concept in Alaska (PDF). FireWise is an educational program aimed at homeowners, land developers, zoning officials, and other groups with the goal of developing homes, subdivisions, and communities with the threat of wildland fire taken into consideration. The goal is to have homes, subdivisions, and communities built

that will survive wildland fires in the future.

Burn Permits

In specific areas of the state, burning permits are required for all burning other than fires contained within an approved device, and fires used for signaling, cooking or warming. All other burning in the permit areas requires a permit during the fire season (between May 1 and September 30 each year or as defined by public order). For more information on burn permits, contact your local Division of Forestry office or you can apply for a [permit online](#).

Municipal authorities may have additional regulations regarding burning. If you intend to burn in an incorporated city, please contact the local fire department regarding permit requirements before doing any burning.

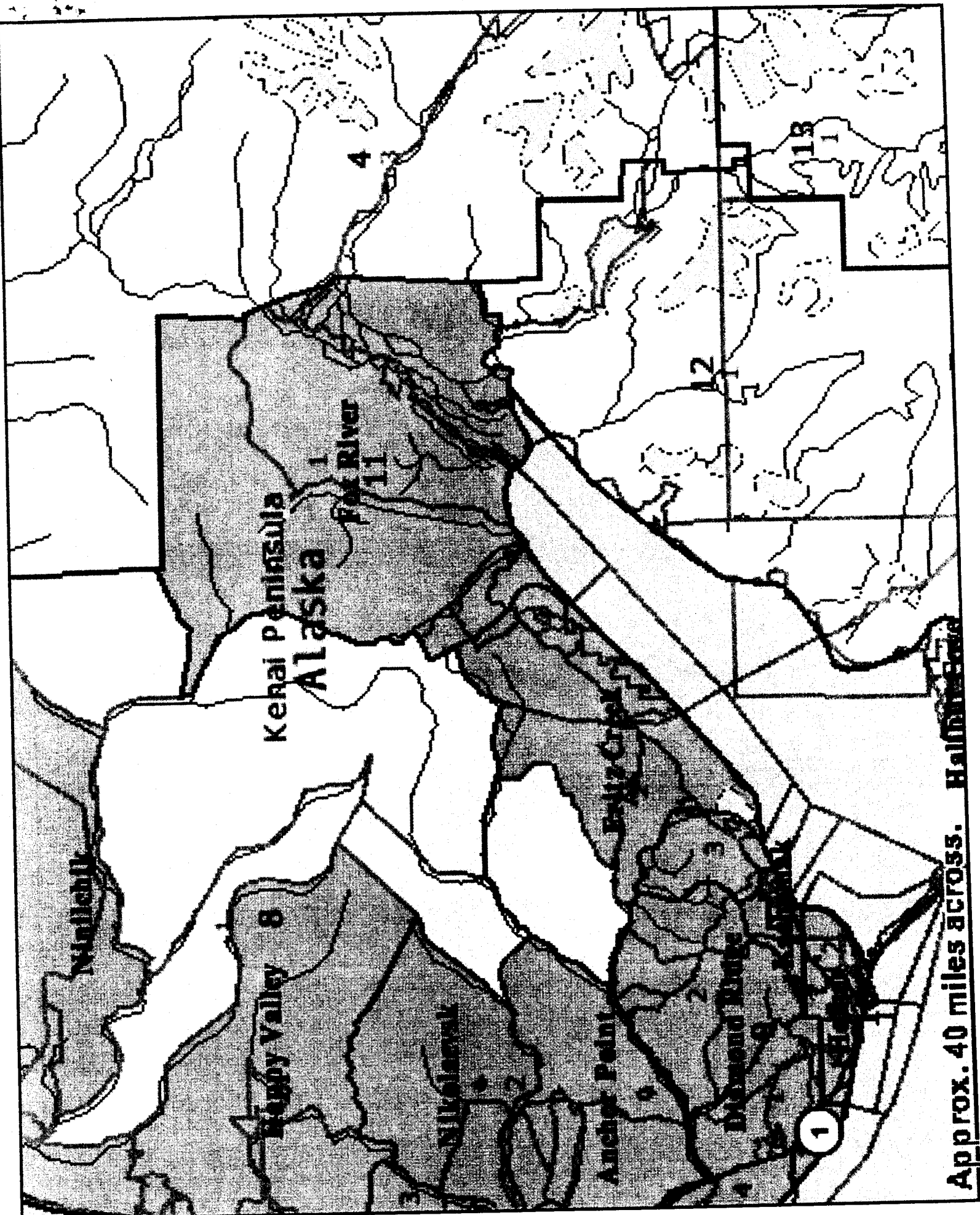
Wildlife Fire and Aviation Basics

For a more in-depth view of the Division of Forestry's Fire and Aviation Program, read the [Wildland Fire and Aviation Basics](#) (PDF) booklet.

Documents in PDF format require [Adobe Acrobat Reader](#) to view, save or print.

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